Cabinet Government in Ontario:

A View from Inside

by

Edward E. Stewart

The Edward Dunlop Lectures

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Foreword

The role of Government in Canada has evolved enormously since the Second World War, under the influence of a relatively small group of politicians and public servants. The term "mandarin" has fallen out of favour in an Ottawa where the tenure of a deputy minister in any one department is now measured in months; it was never as popular in the provinces. Yet some provincial public servants were seen to be supremely influential in the evolution of policies and approaches appropriate to the governance of societies going through a rapid metamorphosis.

One such society was post-war Ontario. One such influential public servant was Edward E. Stewart. His influence was felt first on that crucial lever of change: Education. His almost 30 years of government service, from 1956 to 1985, included the period of extraordinary expansion of the university sector. In his role as Deputy Minister, it was not only his duty to support that expansion but to warn that there were fiscal limits to it. In this he echoed his Minister, William Davis. In fact, he echoed his Minister's career more broadly, in University Affairs, in Education and, finally, in the Office of the Premier.

The combination of two like-minded individuals—one the consummate politician, the other "the compleat secretary"—proved a winning one over many years. There were some who said that the two were indistinguishable, and that Stewart was too political. Dr.

Stewart recognizes the inevitability—indeed, the desirability—of a political approach, but not of a partisan one. What he describes is a government where senior officials are important partners, but partners who will play the same role whatever the political stripe of the government.

Further, he describes a government of consensus, a government of substance rather than style. His lectures suggest not only how blandness worked but why. This document does not offer a series of revelations and revolutions; it deals rather with renovation and cautious conflict-resolution . . . with the challenge of developing a contemporary system of Cabinet government in which structure serves decision-making, rather than the other way around.

Dr. Stewart here betrays no secrets, offers no dramatic surprises, spins no theories. He is content to describe and comment. Yet the stability and competence he portrays offer some important lessons to the reader concerned with the nature of governance in a world where style is not enough. In looking for models for government in the next century, this Ontario-grown model is not to be taken lightly.

On the recommendation of Stefan Dupré, the immediate Past-Chairman of the IRPP Council, the Institute for Research on Public Policy is happy to add this view from inside government to its growing list of titles devoted to governance. The Institute decided to reproduce the lectures as given, with a minimum of editing for publication. Although different from the majority of IRPP monographs, which report results of research and analysis, these lectures do add the dimension of witness from one of the key players in the game of government. It will fit with such recent Institute publications as Tom Kent's *Getting Ready for 1999*, Tim Plumptre's *Beyond the Bottom Line*, and the forthcoming study by David Zussman and Jak Jabes on *The Vertical Solitude*.

The Institute is grateful to the Edward Dunlop Foundation, through the good offices of Professor Dupré, for this opportunity. In giving these lectures a wider readership, the Institute is fulfilling its own mandate of informing the public debate on issues of public policy. How government works is clearly a basic element in such debate and in the implementation of policy

Rod Dobell, President October 1989

Avant-propos

Le rôle du gouvernement au Canada a énormément évolué depuis la Deuxième Guerre mondiale, sous l'influence d'un nombre relativement minime de politiciens et de fonctionnaires. Le terme "mandarin" est passé de mode dans un Ottawa où la permanence d'un sous-ministre, dans n'importe quel ministère, se compte aujourd'hui en mois; au niveau des provinces, ce phénomène n'a jamais été bien remarqué. Pourtant, certains fonctionnaires provinciaux ont passé pour avoir eu une influence déterminante dans l'évolution des politiques et des techniques appropriées pour le gouvernement de sociétés en proie à une métamorphose rapide.

L'Ontario de l'après-guerre est l'exemple type d'une telle société, et Edward E. Stewart celui du politicien dont l'influence a été marquante. Cette influence s'est d'abord fait sentir dans un domaine crucial pour le changement : celui de l'éducation. Ses quasi trente ans de service au gouvernement, de 1956 à 1985, ont englobé la période pendant laquelle le secteur universitaire a connu une expansion extraordinaire. En tant que sous-ministre, il a eu pour rôle non seulement de favoriser cette expansion mais aussi de mettre en garde contre les limites fiscales à ne pas dépasser. En agissant ainsi, il se faisait l'écho de son ministre, William Davis. En fait, il s'est fait l'écho de son ministre dans bien d'autres domaines de la carrière de celui-ci :

aux affaires universitaires, à l'éducation et, pour finir, au poste de premier ministre.

L'association de deux individus si bien faits pour s'entendre (le politicien consommé et le "secrétaire parfait") s'est révélé être une véritable réussite au fil des ans. Certains ont dit de ces deux hommes qu'on ne pouvait pas les distinguer l'un de l'autre, et que Stewart faisait trop de politique. Le Dr. Stewart reconnaît la nécessité, voire la désirabilité, d'une approche politique, mais il rejette l'idée d'une attitude partisane. Il fait la description d'un gouvernement où les hauts fonctionnaires sont certes des partenaires importants, mais des partenaires devant toujours jouer le même rôle, quelles que soient les couleurs politiques affichées par le gouvernement.

Il fait également la description d'un gouvernement de consensus, gouvernement de substance plutôt que de style. Ses conférences montrent non seulement comment mais pourquoi la politique de douceur a porté ses fruits. Ce document ne propose pas une série de révélations et de révolutions; il traite par contre de rénovation et de résolution prudente des conflits . . . du défi de mettre au point un système contemporain de cabinet dont la structure serait au service du processus décisionnel, plutôt que l'inverse.

Dans cet ouvrage, le Dr. Stewart ne révèle aucun secret, ne présente aucune surprise spectaculaire, n'élabore aucune théorie particulière. Il se contente de décrire et de commenter. Pourtant, la stabilité et la compétence dont il parle offrent quelques leçons importantes au lecteur qui s'intéresse à la nature du gouvernement dans un monde où avoir un certain style n'est pas suffisant. Ceux qui cherchent des modèles de gouvernement pour le siècle à venir devraient prendre au sérieux ce modèle ontarien.

Sur la recommandation de Stefan Dupré, dernier président sortant du Conseil d'administration de l'IRP, l'Institut de recherches politiques est heureux d'ajouter ce point de vue venant de l'intérieur même du gouvernement à sa liste de plus en plus nombreuses de titres consacrés à la façon de gouverner. L'Institut a décidé de reproduire les conférences tel qu'elles ont été données et de limiter au minimum les modifications à apporter au texte en vue de sa publication. Bien que différentes de la plupart des monographies de l'IRP, qui font habituellement état de résultats de recherches et d'analyses, ces conférences dues à l'un des acteurs principaux de la scène gouver-

nementale viennent ajouter le témoignage du praticien. Elles viendront heureusement compléter les publications récentes telles que *Getting Ready for 1999*, de Tom Kent, *Beyond the Bottom Line*, de Tim Plumptre et l'étude qui sera publiée prochainement de David Zussman et Jak Jabes intitulée *The Vertical Solitude*.

L'Institut est reconnaissant à la Fondation Edward Dunlop qui, par l'intermédiaire des bons offices du Professeur Dupré, lui a permis de mener à bien ce projet. En permettant à de nombreux lecteurs de prendre connaissance de ces conférences, l'Institut a conscience d'être fidèle au mandat qu'il s'est donné de favoriser le débat public sur les questions de politique générale. Il est clair que la compréhension de la manière dont le gouvernement fonctionne est essentielle dans un tel débat et fondamentale pour la mise en oeuvre des politiques.

Rod Dobell, président — Octobre 1989

The Edward Dunlop Lectures

Edward Arunah Dunlop (1919-1981) graduated *in absentia* from Trinity College, University of Toronto. An officer with the Queen's Own Rifles in the United Kingdom and North Africa during the Second World War, he lost his sight saving the life of a young soldier. Returning in 1945 to the University of Toronto with the George Medal (and his wife Dorothy, who took his lecture notes), he began an M.A. program in Political Science.

His academic study of the Government of Canada, under Professor R. MacGregor Dawson, was permanently interrupted when that Government called him to Ottawa to be Director of the Casualty Rehabilitation Division of the Department of Veterans Affairs. After leading this agency through the period of its most intense activity, he returned to Toronto in 1949 to begin a lifelong involvement with The Arthritis Society in the role of Managing Director.

Edward Dunlop entered the Legislative Assembly of Ontario in 1963 when he was elected M.P.P. for York Forest Hill. In 1971 he was named Minister without Portfolio in the Ontario Cabinet. After his return to private life he served, among many other positions, as a member of the Governing Council of the University of Toronto, and became the first President of the Toronto Sun. His achievements were

recognized by numerous honours, including the Order of the British Empire, the Order of Canada and an L.L.D. from Queen's University.

Edward Dunlop's career as soldier, citizen, public servant and statesman was devoted to the pursuit of effective and responsive government in a free and compassionate society. The Edward Dunlop Lectures commemorate his fervent belief in these high ideals.

Author's Preface

When I retired from the Government of Ontario on August 1, 1985, I had been an employee of that government for 29 years. For 18 of those years I served as a Deputy Minister, initially in the Department of University Affairs, then in the Ministry of Education and finally in the Office of the Premier, where I subsequently added Secretary of the Cabinet and Clerk of the Executive Council to my roster of titles.

While those years brought with them a range of enjoyable and not so enjoyable experiences, and a few insights as to how government should and shouldn't operate, it hardly occurred to me that a recounting of those experiences and insights could be of interest to anyone but myself. But Stefan Dupré and Dorrie Dunlop thought otherwise and asked me to prepare a series of lectures on the organization and operation of government that could be delivered at the University of Toronto as *The Edward Dunlop Lectures*. Professor Dupré has subsequently told me that the idea came to him one day when he was hanging on the strap of a subway car on his way to work. He's had many occasions since, I'm sure, to conclude that it might have been better if he had taken a cab that day.

Nevertheless, I am grateful to Dorrie and Steve for the implied confidence in their request and for the persistence shown in getting

this effort into print. I am grateful too, to a number of people upon whom I called for assistance in putting my recollections, thoughts and observations into an acceptable form. So, to Bud Tangney of the Cabinet Office who assisted with considerable factual material, to Neil Sentance who was of immeasurable help both by providing some of his own research material and in editing the text, to Eddie Goodman and Hugh Segal who commented on original drafts, and to Linda Becker, Sue Gamby, Val Hudson and Lauraine Spanner, all of whom were called upon at times, to type the script, I express my sincere thanks.

A word of appreciation is also due to Sid Oland and my new colleagues at the Labatt Brewing Company, all of whom believed I was working on a full-time basis for them during the weeks in which these lectures were being prepared. And finally, the most sincere expression of gratitude must go to my wife, Victoria, whose forbearance has allowed me to take on such tasks as this at the expense of time and attention that should have been directed to her. Love may not conquer all, but it does expand the bounds of tolerance and understanding.

E.E. Stewart
Toronto
September 1989

I.

Serving the Decision-making Needs of Cabinet

I.
Serving the Decision-making Needs of Cabinet

WHAT I HAVE TO SAY IS BASED ON MY EXPERIENCE, and my recollections of same, over 29 years, particularly the 12-year period in which I served the Premier directly. As I prepared these lectures, my attention was drawn to a book entitled *The Myths of Cabinet Government* by Richard Crossman which had been delivered as the Godkin Lectures at Harvard University in 1970.[1] Crossman, of course, was a member of the Labour Government in Britain in the 1960s and it is to one of his other efforts, The Crossman Diaries, in which he outlines his experiences as a Cabinet Minister, that is attributed the inspiration for the popular TV series "Yes Minister", later "Yes Prime Minister".[2] Crossman's Harvard lectures proved both most interesting and helpful reading because, of course, our approach to government in Ontario is based on the British model and while, as should be expected, we may have evolved in a somewhat different way, many of Crossman's observations struck close to home in terms of our own government operations. Where it suits my purposes, therefore, I shall refer to the Crossman work.

What follows is not about personalities; it is not about who did what to whom or who said what to whom, or who was behind this or that decision. There have been, over the years, numerous writings in

the daily press and periodicals that offered observations as to this aspect of the Ontario Government's operations. Recently several books have appeared that cater to similar interests.[3] There is no doubt that personalities, particularly those of Premiers, have a great deal of influence on how government operates—indeed, this will be one of my central themes. Nevertheless, my efforts will centre on structure and process, however unglamorous that may prove to be. In that regard, the greatest challenge has been not in deciding what to say, but rather how to say it; how to put the various elements together in a way that, hopefully, can be described as systematic.

This disquisition is based on the assumption that my audience knows quite a bit about how government operates. There is no need, therefore, to get into the kind of presentation on government organization that might be appropriate for a first course in political science. My focus of attention will be on the Administration of William Davis from 1971 to 1985. That is the period during which I was directly involved, initially as a Deputy in an operating ministry (Education), and for most of the period within the Premier's Office and the Cabinet Office. The premise is that if I know anything about Cabinet government it must surely be about that period. One will be able to generalize from what I have to say, to some extent, either about other governments or other periods in Ontario. Such a step will have to be taken, however, with a certain degree of caution. We live in a relatively dynamic society, where circumstances change rapidly and/or are influenced by the particular events of the time. So, for example, people still involved with the Government of Ontario will be able to say, We don't do it that way any more, or We don't do it that way here, and their statements will be accurate.

Let's start with a few fundamentals that are necessary aspects of understanding what follows. The whole process begins with elections through which the people of Ontario are able to confirm or reject the government of the day by choosing our elected representatives to the Legislature in the various geographical constituencies (currently 130) into which the Province is divided. Through that series of individual choices, they also decide which party will form the government and which leader will become our Premier. In most elections, the answer to those issues is fairly clear cut since, more often than not, one party ends up with a majority. Thus where the Lieutenant-Governor turns,

in order to call upon someone who can "command the support of the Legislature", is not a difficult decision. Indeed, in those cases where the government that is already in power returns with a majority, the formal call is never made. However, the 1985 election in our Province demonstrated that that phrase, can "command the support of the Legislature", has a lot more significance than most of us ever thought and that electing the largest single number of members, but less than a majority, does not necessarily create a path into the Premier's Office.

When a legislature is elected, and a decision is taken as to who will form the Government, one of the Premier-designate's initial and most important tasks is to decide on the makeup and membership of his Cabinet, thus the makeup of his government. Once constituted, of course, the new Government assumes many powers and privileges. It inherits, as well, a large bureaucracy to organize, administer and, if asked, advise on what's happening. It also inherits, as a natural consequence of being the government, the privilege of dealing with all of the outside forces who are not only interested in what government is about, but often try to influence the results.

What a new government also quickly learns is that it is now responsible for a multitude of activities based on the policies formulated by previous Cabinets, based on laws passed by previous legislatures and now being carried out, on a day-to-day basis, by the bureaucracy which is already in place. And the lists of same are very, very long. Indeed, it would be nearly impossible to develop a comprehensive outline of the interests and activities in which the Ontario Government is involved on a day-to-day basis. Clearly, those activities are many and varied. After all, there are over 93,000 people in this Province who are directly employed by the government, or its related agencies, and they're all doing something—every day. To demonstrate the point, without trying to carry it too far, I sat down and wrote at random examples that came to mind. My list went something like this:

- responding to health insurance claims
- checking the weight of transports on our highways
- operating hospitals and educational institutions

- advising farmers, insuring crops, and controlling the sale of their products
- collecting taxes
- developing new curricula for our elementary and secondary schools
- prosecuting criminals in our courts
- guarding prisoners in our correctional institutions
- checking the quality of our air and water—issuing licences and certificates of various kinds
- promoting the sale of Ontario-made products throughout the world
- ensuring health and safety standards in the workplace
- mediating and adjudicating labour disputes
- making payments to municipalities, school boards, hospitals, and institutions of higher learning
- repairing highways and building new ones
- selling wine and liquor—promoting and supporting cultural endeavours
- providing social assistance to those in need
- establishing rules for films that can be shown, elevators, horse racing, real estate transactions, travel agencies
- protecting wildlife in our forests.

Any other person could make up a similar list as easily as I have done, and probably not have to repeat one of my examples.

The point I am building to here is not really related to the number or kind or variety of activities, but to the issue of how a government takes control and maintains some kind of order in the midst of this wide range of responsibilities. And how, subsequently, does it change those things which it feels are inappropriate or ineffective and add others which it feels will give Ontario a better society? How does a government ensure that the political and bureaucratic arms work effectively together? How do a First Minister and his Cabinet ensure

that their political will is translated into action? *How does the Government get and keep its act together?*[4]

The key to taking charge, establishing control, setting the direction is, I would assert, the Premier, joined by his Cabinet, since from that body must come the required leadership. That is why what the Premier decides to do in this early exercise in decision-making—forming his Cabinet and choosing its members—is so important. The selection of Cabinet both in the initial instance, and in regard to subsequent changes that must of necessity occur as a government moves through its mandate, was, by my experience, fairly consistent with the widely held understandings as to how the process works.

Crossman quotes Bagehot in his book on the English Constitution as saying "The first ten people in Cabinet pick themselves" and adds "they have got to be there, either because they are indispensable or because they are potential enemies. After that, the PM will draw the teeth from the back benches as far as he can by bringing the talent available into the Cabinet."[5] Although this is not the way I would have chosen to describe how it worked in Ontario, the more I reflect on Crossman's description, the more I'm inclined to think that he is not far off the mark. After all, William Davis was, for example, very quick to see that all of his major rivals in the leadership convention were assigned senior posts in his first Cabinet and there is no doubt, in my mind, that any Premier wants his most talented members of caucus as part of his Cabinet group. But it is also true that, at some point as the list is being formed, talent, as a priority, must share the stage with other considerations. This is, after all, a very large Province with differing regions, so one needs to ensure that there is representation, so far as one's caucus allows, from the various geographic areas.[6] Further refinement on the same theme would be reflected in the attempt to ensure that the major centres of the Province are also represented (although, unfortunately, from my point of view as a Windsor native, the electorate always made it difficult for Mr. Davis to find a voice from Windsor to meet that particular requirement!).

In this day and age, of course, there are other considerations that must be taken into account such as trying to ensure that, again in so far as caucus will allow, women are represented. We are all aware that when Mr. Davis named Margaret Birch to his Cabinet in September 1972, Ontario gained its first woman Cabinet minister. It's hard to

imagine that something that we would regard as a necessity today, and in significant numbers, occurred for the first time less than 20 years ago. Following the same line of reasoning, consideration must be given to the presence of a large francophone population in this Province and, over the last two decades, to the ever-changing multicultural nature of our population as well.

Another circumstance that cannot be totally ignored is that of seniority. While it is true that some members serve for many years on the Government side of the House without ever gaining access to Cabinet, it is just a matter of human nature that many of them would feel that their experience qualifies them for a Cabinet post and that it hurts more than a bit when other members, with less seniority, and in their eyes, less experience and "right", get into the Cabinet while they remain backbenchers. Any Premier has to be a bit hard-nosed in working his way around such problems, but Mr. Davis was particularly conscious of these kinds of circumstances and in truth worried a good deal about them. I think that it would be possible to discern, in the make-up of his Cabinets over the years, that more than one or two members made the lists simply because he felt they had earned it through long and loyal service.

Further, some attention must also be given to the match-up between Minister and Deputy Minister. Obviously the Premier seeks a good "fit" in this regard, and one, hopefully, where individual strengths and weaknesses will complement one another. Despite what is often regarded as conventional wisdom, the one consideration that I never heard raised was that of religion. While I cannot know for certain that it was never a matter that passed through the Premier's mind, I can say that I never once heard it raised openly to justify either an appointment or a rejection.

Beyond the decisions as to who is to get into Cabinet there is, of course, the need to assign portfolios. Here, in the main, the issue of talent really does take over. It is fairly evident that not all portfolios are created equal. Both on the basis of precedence, and current circumstances, assignments such as those of Attorney General, Minister of Education, Minister of Health, Minister of Natural Resources, and Treasurer, to name only the most obvious, are major assignments and need people of great capacity and experience if they are to be handled properly. At the other end of the scale, the Premier tends to name to

the lower-profile ministries people whose talents might be thought not to be as extensive or whose experience in Cabinet and/or Legislature is more limited. The ultimate assignment at that end of the scale is Minister without Portfolio, although even for those postings it became necessary, during the Davis years, to attempt to find specific assignments for such ministers, if only to provide them with a basis of answering questions put to them by the opposition in the Legislature along the lines: "Would the Minister please explain to the Legislature what, in specific terms, his duties as Minister without Portfolio happen to be?"

When Mr. Davis succeeded John Robarts on the 1st of March 1971, he, theoretically, was free to structure his Cabinet and, therefore, his government in any way he felt appropriate. What he did, however, is what most new Premiers and Prime Ministers do on taking office—he simply repeated the basic structure that his predecessor had in place with some minor tinkering around the edges. Subsequently, as I recall, he added, shortly after taking office, a Solicitor General, changed University Affairs to Colleges and Universities, and combined Transport with Highways into a Ministry of Transportation and Communications in his initial effort at reorganizing portfolios.

Without digressing too far, I would observe that the growth of Cabinet and the creation of new or revised Cabinet posts is a story in its own right and tracing the evolution of Cabinet organization in Ontario, in some ways, parallels the growth and development of the Province itself. When Frank Miller was sworn in as Premier of Ontario in February of 1985, he had the support of 72 members of the Legislature and chose 32 of them to be members of his first Cabinet, the largest in Ontario's history. Throughout the Davis years the numbers had varied somewhat ranging between 24 and 29. By way of contrast, the first Ontario Cabinet, in the administration of John Sandfield McDonald, consisted of five members and six portfolios. Mr. McDonald was both Premier and Attorney General and, in addition, there was a Provincial Secretary and Registrar, a Treasurer, a Commissioner of Agriculture and Public Works, and a Commissioner of Crown Lands. Almost 40 years later, when James Whitney took office, Cabinet size had increased only to ten members, a Minister of Education having been added, Agriculture and Public Works having

been separated into two portfolios, and a separate appointee having been named as Attorney General.

Then, over the years, we began to see the addition of now familiar places around the Cabinet table reflecting the growing and changing needs of the Province. I am not going to attempt, at this stage, to push the point any further other than to observe that we did not gain a Minister of Highways until 1914, a Minister of Labour until 1919, a Minister of Health until 1924, and a Minister of Municipal Affairs until 1934.

With the advent of the modern Conservative era, under George Drew in 1943, some 86 years after Confederation, the number of portfolios increased to 15 with such new additions as Planning and Development, Reform Institutions, and Travel and Publicity. And the story of expanded Cabinets continued over the years with Mr. Robarts adding, for example, University Affairs and Financial and Commercial Affairs, and Mr. Davis contributing such portfolios as Culture and Recreation (later Citizenship and Culture), Housing, Intergovernmental Affairs, Northern Affairs, and latterly a Deputy Premier, as well as a Minister responsible for Women's Issues. Superimposed on all of these portfolios during the Davis era there was, of course, the creation of the three policy secretariats—Justice, Resources Development, and Social Development—about which I shall have considerably more to say.

I must add one more bit of history that involves a great degree of personal interest. When I was appointed to the office of Secretary of the Cabinet in 1976, I assumed that I was the latest in a long line of notable individuals who had held this high post. This was based on an assumption, that I am prone to make, to the effect that what is in place today must always have been in place. In this instance, my assumption was entirely incorrect. In fact, the first Secretary of the Cabinet, Mr. Lorne R. McDonald a lawyer from Windsor, Ontario, was named to that position in 1948. Prior to that time, it was apparently felt that no civil servant was needed to act in this capacity. Nor, indeed, was it necessary for any civil servant to attend Cabinet meetings, a practice which is still followed in some parts of the Commonwealth. Thus for a period of almost 85 years, Cabinet meetings were conducted without staff help, although throughout the entire period the Clerk of the Executive Council took charge of the administrative

aspects of the operation including, as remains the case today, the transmission of Orders in Council and other documents to the Lieutenant-Governor for signature.[7]

As I have stated, when William Davis became Premier he inherited a structure in place. He also inherited, however, an ongoing review of government organization and operating methods which had assumed the name of the Committee on Government Productivity (COGP). This group, half of whom were leading members of the business community and the other half deputy ministers,[8] chiefly from the central agencies of government, was chaired by John Cronyn of London, Ontario, a Vice-President and Director of John Labatt Limited. The Committee initiated a series of studies, some carried out by a small internal staff headed by Dr. James Fleck but many undertaken by outside consultants. All this had been put into place by John Robarts in the latter months of 1969 and the first of the Committee's interim reports appeared shortly before Mr. Davis took office.[9]

While I may stand accused of oversimplifying a rather complicated matter, I would describe the motivations underlying this particular activity as being twofold: 1) the desire to bring to government the same kinds of efficiencies that were thought to be prevalent in the business community, and 2) the need to find more effective means of dealing with the horizontal aspects of government organization and decision-making. The first desire was reflected in the initial name given the exercise: "The Productivity Improvement Project". The second objective had, apparently, been a concern of John Robarts for some time. We might note, for example, his comments to the Legislature in February of 1968:

> We in government today find ourselves in a virtual maze of interrelated decisions—and I think this is true of any government you wish to look at in any part of the world. We are confronted by multiple demands and by many complex considerations. We have discussed this in the House on other occasions, in terms of the vertical organization of government, in departments, and the increasing characteristic of our problems to be horizontal in nature.[10]

Later, in official publications reflecting, I suspect, the fact that the bureaucrats had gotten hold of the matter, the objectives were described as the need to address the challenges "arising from the

accumulation of social, technological, economic, and demographic change" [which] "clearly required a thorough investigation and restructuring of Ontario's governmental system."[11]

In any event, when William Davis faced the question I noted earlier, namely "How does the Government get and keep its act together?", he was, in effect, handed a plan through which he could respond. And that plan obviously had some appeal because, allowing for the usual array of modifications as one translates ideas into action, in the course of the next year he proceeded to put the basic recommendations of COGP into place.

The first steps were relatively simple and, some might say, relatively innocuous. One of the major themes of the COGP Reports was the need to develop a corporate approach to government and to perceive decision-making in this light, as opposed to the narrower perspective of thinking only of a single ministry. Two months into his Administration, he endorsed the idea that deputies, as well as ministers, could benefit from being shuffled from time to time. Noting that only one third of the Government's senior officials had served in more than one ministry, the Committee saw cross-fertilization as an essential step in developing a more corporate approach.[12] That first shuffle, which was emulated time and time again in the ensuing years, took effect on May 1, 1971.[13]

But the fundamental changes were not forthcoming until December of that year when the Premier gave his endorsation to the restructuring of Cabinet, and thus of the entire government organization, to meet the anticipated demands of the 1970s. The objectives of this restructuring had now been expanded and were summarized in COGP material as follows:

> This new style will demand that government's approach to problems will be universal rather than narrow or parochial (in the departmental or functional sense); that government will anticipate change rather than merely react to it; that the organization of government will be flexible rather than rigid; that more productive use will have to be made of human, financial and material resources; that choices between conflicting programs will have to be made on the basis of information which has probed deeper and been more thoroughly analyzed; that the decision to eliminate pro-

grams which can no longer be justified can be arrived at rationally.[14]

In speaking to these objectives, the Committee identified four problem areas which they felt needed to be and would be corrected through the new organizational structure. I quote:

- Ministers do not have sufficient time for policy-making.
- The organization of the provincial government has grown so large and complicated that it has become difficult to manage.
- Because the demand for services is outstripping available revenue an improved priority-setting system is required.
- The operation of individual government departments as separate and distinct entities is no longer appropriate to cope with issues that increasingly involve more than one department.[15]

The proposed answers to these identified problems and shortcomings were set out in detailed fashion in a series of reports. In the most succinct terms, they called for expansion and elaboration of the Cabinet committee system; the creation of a new type of minister without operating or program responsibilities; the realignment of existing ministries and their programs; and the development of regularized and institutionalized procedures for Cabinet decision-making as well as greater coordination.

Without attempting to be comprehensive, let me elaborate on these and a few other aspects of the reorganization. In doing so, I will not, I am sure, do justice to the considerable detail set out in the Committee's recommendations or the comprehensive thought that underlay their ideas. On the other hand, I feel obliged to spend some time on this development since, in many ways, it established the pattern for the Davis years.[16]

The major vehicle to the stated goals, and some might argue the most controversial part of the plan, was the creation of policy fields, each with its own minister, and accompanying secretariat, as the major coordinating instruments. For each policy field, committees of the Cabinet were to be the ongoing forums for the discussion of sectoral concerns between and among ministers and senior officials. At the same time they were to be the vehicles through which disputes

between ministries could be examined and resolved; a means by which new policy proposals from any of the member ministries could be examined, along with alternatives, in order that acceptance, rejection or modification could be recommended to Cabinet; and finally the forums in which multi-year forecasts of ministry spending and priority setting could be approved subject to further consideration and modification by the Policy and Priorities Board.[17]

The latter body, a further new addition to the Cabinet committee structure was, in a very real sense, to be the upper tier policy committee, composed of the secretaries (i.e., ministers) of the three aforementioned policy fields, as well as ministers of the major central agencies (i.e., Treasury, Management Board) and chaired by the Premier. This group was to advise on overall government priorities, including consideration of new policy initiatives, evaluation of existing programs and the assessment of available resources. Furthermore, P&P was to look at issues that did not, because of their nature, belong in any specific policy field, settle matters that could not be resolved within a policy field, and scrutinize all the recommendations that were forthcoming from the policy field committees to ensure that they fitted within the overall scheme of things. Finally, P&P was to act as the forum for consideration of issues of "extreme urgency" or political consideration and was to take charge of the "allocation process", that is, the discussions and eventual determinations of how the available monies would be allocated among the policy fields and subsequently the ministries.[18]

A third major type of Cabinet committee, in this case created out of old cloth by the COGP, was Management Board of Cabinet. In effect, this was a move that took the existing Treasury Board, which had been chaired by the Treasurer and which, in many ways, was his preserve, gave it its own chairman and brought it, more clearly, under the general umbrella of Cabinet. Supported by its own secretariat, Management Board was to carry out the necessary analysis, and develop the required policies for such matters as "common services, consolidation of departmental estimates, management improvement and overall organization design".[19] In addition, it was to "assist Cabinet and its other committees in evaluating the long- and short-term financial and administrative implications of new program proposals."[20] In other words, it was to let Cabinet know what new

spending proposals were likely to cost, both initially and in subsequent years, a consideration that had not always been felt important enough to impede good ideas in earlier and, perhaps, more affluent times.

Ministry restructuring was also thought to be a rather important element of change. Undoubtedly the most important step in this regard was the creation of a new Ministry of Treasury, Economics and Intergovernmental Affairs (TEIGA). Incidentally, it was at this time that the term Ministry was substituted for the word Department in the government vocabulary. TEIGA was, in effect, an amalgam of the old Treasury and Economics and the Department of Municipal Affairs as well as bits and pieces that came from Mines and Northern Affairs and the old Provincial Secretary's Department, all of which, as it so happened, were eliminated in the restructuring. The new ministry, as its name would imply, was charged with responsibility for federal-provincial, and local policy and finance, the coordination of activities with other levels of government, and policy on regional government—which is a relatively quiet issue today but was very controversial throughout the early 1970s.[21]

There was as well a great deal more ministry restructuring as bits and pieces were transferred from one ministry to another, all in the name of better fit or more effective coordination.[22] In a sense, this particular aspect of reorganization could have been regarded as "tidying around the edges". But, in retrospect, the in-fighting that developed in regard to getting or giving up operating areas was probably the first clear indication that there were going to be serious problems. The COGP proposals, if they were to work, required a sense of collegiality that was notably lacking in the "tidying" exercise. Holding on to one's own turf proved to be a far stronger motivation.

Let me bring this phase of the presentation full circle, by returning to the three policy fields and recalling that part and parcel of their creation was the notion that, to provide proper leadership, and in order to overcome the perceived lack of ministerial time for policy making, there was to be created a new type of minister—a minister without departmental responsibilities who would bear the title "Secretary" and who would gain automatic admission to membership on the Policy and Priorities Board through which would come the opportunity to exert considerable influence. According to the COGP, these new ministers were to "assume a leadership role in initiating,

developing, assessing, and modifying new policies and programs."[23] It was also to be their responsibility "to attempt to anticipate emerging issues within their policy field . . . announce major new policy proposals for their policy fields and . . . answer questions in the Legislature relating to these proposals."[24] At least that was the theory.

The report went on to stress, however, that these were not "super-ministers" or members of an inner cabinet,[25] an assertion totally ignored by the media in their subsequent reporting of the concept.[26] Nor was there to be any reporting relationship between the minister of an operating area and the Secretary of the policy field to which he belonged. Rather, it was suggested that the Secretaries or policy field ministers were to have "the opportunity to spend more time expounding government policy and gathering reactions from citizens as to the effectiveness of government programs".[27] Each policy minister, as previously noted, was to be supported by a secretariat which, in effect, would be his ministerial staff—although to maintain effective liaison the Cabinet Office was to provide the official secretary for each committee.[28] In the eyes of many within the operating ministries, however, the secretariats constituted yet another central agency, albeit sectoral in nature, with whom they had to cope—and, here again, the required sense of collegiality was very much lacking.

A secretariat within Cabinet Office was to provide support for the Policy and Priorities Board, although most of the financial analytical work was to be carried out by Management Board Secretariat and TEIGA. And, to maintain effective liaison and cooperation among all the players, a committee of deputy ministers was formed, thereafter known as the Committee of Advisors, representing the various ministers on P&P. They were to plan P&P agendas, coordinate staff use, and keep their ministers briefed on pending items of discussion.[29]

At least one final aspect of the COGP recommendations would seem to require comment. For the Committee felt that, if its plan were put in place, it would ensure "that elected representatives remain fully responsible for policy decisions and for all organizations accountable to the Legislature."[30] This was and is a matter of deep concern, not just to politicians but to many within the general public, and certainly to the media who report to that public. I am not sure that, in the years that followed, any of the observers were convinced that authority had been

wrested from the dastardly bureaucrats. No one except me, that is, and for that reason I shall return to this matter in the next lecture.

In the months and years that followed, as many will recall, COGP became the general point of reference for anything and everything that changed in the Ontario Government, particularly if it were thought to be for the worse. In many respects, this supposed cause and effect relationship prevailed throughout the 1970s. Indeed, as time passed, COGP became the subject of a great deal of severe criticism and, in many respects, a term of derision. Before going into the detail of that criticism, however, and the modifications that became necessary, two observations may be worth making.

Even now, some 17 years after the event, it could be argued that the problems identified and the subsequent improvements sought by COGP were very close to the mark in terms of what was required. Over the years I have said many times that, if the COGP recommendations for restructuring had not been thought to be appropriate, then certainly we would have needed something along similar lines. This is because we had indeed reached a point when, given the growth and complexity of our society, the increasing role and responsibilities of government, and the increased size of Cabinet, it was no longer good enough to allow individual ministries to operate on their own, with Cabinet as the sole place in which policy initiatives could be screened and important decisions taken.

That is why, if I might skip ahead to the present, even though the Peterson government has eliminated the policy ministers, and the policy field secretariats, it has not eliminated ministry groupings, through a committee structure. As to the Davis years, once William Davis decided to endorse the COGP Reports as one of the first major decisions of his administration, and reorganized his government to conform to those recommendations, he was never prone to abandon completely what he had put in place, nor to acknowledge, even with all of the modifications that were to follow, that COGP had been a bad idea.

But there were plenty of others who were willing to make that assertion, both inside and outside government, and it did not take long for the shortcomings to be noted—not only in the realm of what might be termed political realities, but in the lack of willingness of the bureaucrats in the operating ministries, aided and abetted by their

ministers I might add, to give up any of their prerogatives. In retrospect, the changes may have been too drastic and the recommended system too complicated and cumbersome to be truly successful. Even more critical was the failure to realize that a system based on layers of approval, and supposedly controlled by fairly rigid rules of procedure, would quickly be seen as draining the flexibility that a government absolutely requires. Let me elaborate on a number of the perceived shortcomings as a basis of explaining what subsequently evolved.

1) As a matter of political reality, it soon became clear that interest in policy-making was not a high priority for the opposition, the media, or indeed the general public, as it was suggested it should be for government. One might get the drift of this basic fact of life from the following statement by Robert Nixon, then Leader of the Opposition, in a statement to the Ontario Legislature shortly after the new system was put in place: "... the three new provincial secretaries for policy have had little or no contribution to make in this chamber, and it is very difficult to see where they make a contribution elsewhere ... it is obvious only those ministers with departmental administrative responsibilities are going to have a political force and sway in this House."[31] Unfortunately for the government, many others agreed with that assessment. Clearly, nothing can be worse for a leading politician, who has aspirations for continuing success in his chosen field, than to disappear from the political spotlight. It did not take those appointed as Provincial Secretaries long to determine that this was what had happened to them, to find out that they were being largely ignored in favour of those in charge of the real action, and for a clamour to begin on their part to move on to other duties. In fact, Allan Lawrence, the Justice Secretary, left the Government within seven months of his appointment (although, in fairness, there were other circumstances). The other two Secretaries, Bert Lawrence and Bob Welch, remained in their posts for about two years.[32]

2) Inside government, problems also developed. While ministers and senior staff were gathering for discussions under the three policy umbrellas, they were not exhibiting within those groupings the give and take, or spirit of cooperation, that had been contemplated, particularly when it got down to the nitty gritty of dividing the monies. Indeed, there was an almost universal reluctance for one ministry to

defer to another for what might be argued as the collective good. In the end it turned out basically to be the same as always—every ministry for itself—and the only thing on which the policy field could generally agree about money was that the members would go forward to P&P, or wherever, and make a case that the overall allocation had to be increased. Since the sense of fraternity that COGP thought would prevail was absent there was no alternative other than to have the Premier, in consultation with the Treasurer, make relatively arbitrary allocations.

3) Another reform that failed to take hold involved the effort to move ministries and policy fields to longer-term fiscal planning. The notion of requiring each ministry to prepare its estimates of expenditures on a three-year basis soon became motivated more by the need simply to complete the exercise, as requested, than by any desire to examine financial requirements, in detail, over the longer term. It became clear, government being what it is, that the only figures that really mattered were those for the next fiscal year and that the subsequent two years needed only rough guesses at best since, a year hence, no one was likely to refer to them in any event.

4) A further sore point that developed, as the process evolved, had to do with the numbers of policy field and central agency bureaucrats who seemed to be second-guessing policy positions which a ministry put forth. Ministers and senior officials had long been accustomed to Treasury Board analysts examining, in some detail, any proposed spending programs. But now, there was the perception, at least, that someone might be doing the same type of thing within the policy field or within the Cabinet Office, either on behalf of P&P or the Cabinet itself. Since, not surprisingly, ministry staff regarded themselves as the most knowledgeable on issues that fell within their mandate, alternative thoughts were not appreciated, and yet they always seemed to be forthcoming.

5) And, speaking of alternative thoughts, another good idea that soon came to be carried out in perfunctory fashion centred on the suggestion that, in order to demonstrate that they had canvassed all facets of an issue, ministries when they came forward should be offering Cabinet alternative possibilities. Once again, people acted to satisfy the requirement but all too often the possibilities raised,

beyond the one which the ministry really had in mind, were not real alternatives at all.

All this internal adjustment and concern was, as events transpired, running parallel with certain outside developments, which by mid-1973 were causing the Administration considerable trouble and which appeared to be having serious adverse effect upon the Government's popularity with the electorate. It might be argued that COGP had little to do with questions of how the contract for the new Hydro Building had been allocated, or the methods used for political fund raising, or regional government, all of which at one time or another, became negative issues for the government, but it became, nevertheless, part of the litany of things that had gone wrong. And, in what might be taken as a textbook example of guilt by association, it did not escape the attention of some critics that one of the major players in developing the COGP recommendations, Dr. James Fleck, was now one of the major players in the Premier's Office, the operation of which was thought to be another serious problem area, particularly as it related to the Premier's availability to those who wanted or needed to see him.

With the Government's decline in public popularity, and the degree of grumbling that was being emitted by Cabinet ministers and senior bureaucrats about the shortcomings of COGP, it became obvious that something had to be done. But, if I can draw an analogy, the introduction and subsequent adjustments to COGP parallel the introduction of a new-model automobile that turns out to have problems. The initial appearance is treated as an event, with a great deal of fanfare and with the supposed virtues of the product loudly identified. But the corrective action is handled in a more low-key fashion. The visits to the service and body shops, if you like, tend to take place more quietly, and deliberately so, and the task of pulling everything into working order takes place over a much longer period. This was certainly so, in respect of government organization. In setting out to solve the problems, there was no grand plan, just an attitude that suggested that government had to listen to the complaints, react to those that had merit, and modify the system in order to improve the situation. That procedure began in late 1973, less than two years after the basic COGP reorganization took place and, in a very real sense, never stopped throughout the rest of the Davis years.[33]

SERVING THE DECISION-MAKING NEEDS OF CABINET

The changes started with the Premier's Office. In baseball there is a well-established maxim that, when things are going wrong, you fire the manager. In this case, they kept the manager and changed several of the players. The late Arthur Wishart, who had been Attorney General in the Robarts years, and Minister of Financial and Commercial Affairs in Mr. Davis' first Cabinet, but who had retired from politics before the 1971 election, was brought back to act as the Premier's main line of liaison with caucus. A man with wide grass-roots political experience, Paul Weed, was appointed to take charge of the Premier's outside engagements and, in what I have always assumed was a move based on the assumption, "when in doubt, go with the devil you know," I was transferred from the Ministry of Education to be Deputy in the Premier's Office. Dr. Fleck moved "upstairs" to become Secretary of Cabinet.

New personalities inevitably bring change and, in this instance, change was thought necessary. The initial emphasis was to overcome the perception that the Premier had become inaccessible to his cabinet ministers, his caucus and, indeed, to the general public, a circumstance often attributed to the layers of bureaucracy that COGP had created and to the COGP-type attitudes that had supposedly crept into the Premier's Office. Noting, for example, that Dr. Fleck was a graduate of the Harvard Business School, one critic was heard to comment that that school "had done more to destroy democracy than the Communist Party". More fundamental, however, was the need to overcome the perceived problems and differences that were associated with the basic COGP recommendations. This was not as easily accomplished and took considerably more time.

As I have said, there was no grand design to replace the one that was thought to be faulty. Rather it was a matter of identifying the things that were thought to be wrong, or to which people objected, and changing them to a structure or process that seemed to work. In effect, the Premier and his associates started to become pragmatic, without necessarily realizing it. By the end of the Davis years, pragmatism had been turned into a science. For example, the tensions that might have developed between each policy field secretariat and its member ministries began to dissipate, not because some new instructions or arrangements were formally put in place, but because the Premier appointed less-senior ministers whose ambitions were probably more

modest and whose place, within the general scheme of things, was less threatening to the operating ministers.

Equally important, perhaps, throughout Government, and with the concurrence of Cabinet Office, people slowly began to pick up more forcefully on the notion that a ministry had the right to come directly to Cabinet without the absolute requirement that they had to clear the policy field and/or Policy and Priorities Board first. P&P itself, while remaining in charge of the allocation process, became more a body to deal with special problems and situations, rather than an additional step in the approval process. These new arrangements were not a carte blanche to avoid policy field discussion nor were they taken up by ministries as such. The point instead was that, once ministries no longer felt they were absolutely required to engage in policy field discussions, they began to screen proposals with counterpart ministries voluntarily as a means of broadening their base of support before getting to Cabinet. At the opposite end of the scale, the Premier and other members of the Cabinet were left free to suggest to a minister, who brought an issue directly to Cabinet, that he or she might better consider such preliminary discussion. In other words, judgment and discretion as to what was the most effective method of handling any given issue came into play and replaced the notion that there were absolute rules and procedures to be followed, whatever the circumstances. What evolved, in a nutshell, was a process in which people were now starting to run systems rather than having systems run people.

But beyond the formalities of how issues proceeded to the Cabinet table, there was also the important need of getting people throughout the Government to work effectively and cooperatively together. In a very real sense that was what COGP was striving to do and so, to repeat an earlier assertion, COGP had not sent the Government off in a totally inappropriate direction. Unfortunately, some of the COGP theory had been inappropriate to the setting and was perceived as such by the players who were required to make it work.

Consistent with the new pragmatic approach, the changes introduced, as simplistic as this will sound, were based on the notion of trying to operate as "one big happy family". We all worked for one government, we all served one Premier, we all shared the basic goal of providing good government. Everyone had an important role to play in

the scheme of things, but everyone had to work in relative harmony, together. But if this kind of approach is going to work, in place of all the written rules and procedures, you have to have some clear understandings and appropriate attitudes. Paramount among these understandings and attitudes, I suggest, were the following:

1) The Premier had to believe that he had the best people available to him in charge of each ministry. That would include not only the minister but the deputy and other senior bureaucrats as well. Obviously this called for an assessment from time to time so that necessary changes could be made as required. But basically, he had to have confidence in those to whom authority had been delegated.

2) Consistent with this assumption, the Premier also had to believe that those that he had put in charge of each ministry had sufficient ability and knowledge to run the ministry effectively without constant direction from the Premier's Office or any of the other central agencies. That knowledge and ability should be judged not only in terms of the administrative effectiveness and problem-solving competence of those in charge, but also in the development of new ideas and approaches as circumstances required.

3) If, and when, the Premier had reason to doubt that the best people were in place and/or that they were running a ministry as effectively as possible, he had to deal with the situation on an individual basis. A short leash for one or two does not require a short leash for all.

4) The Premier had to feel assured that when problems and/or situations arose that had possible ramifications for the Government as a whole, he would be kept informed and that it would be done quickly. A common expression within the Premier's Office was: "We're just like Holiday Inns. The best surprise is no surprise."

5) Ministers, for their part, had to be able to assume that, if information or proposals or problems came forth, from whatever source, that related to their jurisdiction, they would be involved in developing the idea and/or finding the appropriate solutions. There should be no surprises, either way.

6) Everyone had to understand, however, that the Premier would not be restricted by the formalities of organization charts or job

descriptions or even pride of ownership in bringing people together to deal with situations. Since he wanted the best people available to work on important issues, he could not allow the system to impose limits on him in this regard.

7) The Premier and his agents had to try, to the best of their ability, to be straight and open in all their dealings with Cabinet colleagues and public service staff, and expect the same thing in return. All news isn't good news and all comment isn't without criticism, but a major sign that the "system" is working is when those involved can overcome those difficulties and communicate effectively with one another.

8) Finally, everyone had to come to understand that, despite the emphasis on planning and looking ahead, "adhocery" is not always bad and, indeed, is often a necessary circumstance in the decision-making process.

In summary, working by this set of unwritten rules, the Government tried to avoid serious surprises, utilize the best talent available, and generate an acceptable sense of involvement on the part of those who felt they should be involved. Again, what had been adopted was the pragmatic approach in an attempt to ensure that the system did not get in the way of the best solutions being found.

Now, while these understandings should and did influence the day-to-day operations between the Premier's Office/Cabinet Office and the rest of the government organization, they also had impact on how Cabinet functioned and on the decisions taken by ministers as to whether a matter should reach the Cabinet table and, if so, by what route. Obviously, if an order in council or regulation or legislation were to be required, the matter had to come to Cabinet. But ministers also saw the wisdom of putting issues before Cabinet if they felt they would eventually require the public support of their colleagues on the issue at hand, or if they felt they would benefit from the observations of Cabinet. Again, as a variation of that theme, they would go to Cabinet if they felt that a show of support around the table would enhance their chances before Management Board when they subsequently went forward to gain approval for the necessary funding for their proposal.

Each minister had also to decide the route he or she would follow in bringing issues to Cabinet. Many matters, it should be understood,

still went to the policy field committees and reached the Cabinet table as an item within the regular committee reports to Cabinet. Sometimes, after consultation with the Premier or the Secretary of Cabinet, the matter was thought to be important enough to get preliminary discussion at P&P Board. In the latter stages of the Davis Administration, it was not common for an individual ministry item to come via that route, but it was still possible. Finally, as I have already noted, every minister had the right to bring a matter directly to Cabinet as policy issue and the tendency to employ this direct route reached a point, quite early, where the "policy issue list" was considered the most important matter on any overall Cabinet agenda.

Beyond the development of more flexible procedural arrangements, and the corresponding change in attitudes between and among ministers, policy fields and central agencies, other aspects of COGP were also subject to revision as time went by. Without trying to be exhaustive in noting these changes, two or three should be mentioned if only because they tie to my earlier comments on the COGP plan. For example, it became clear over time that, despite the range of issues that might be delegated to the three Cabinet policy committees, the structure was not appropriate for all issues and, therefore, could not accommodate all matters that required constant committee attention.

Inevitably, therefore, in the ensuing years, additional special committees were formed or re-formed and became part of the Cabinet apparatus. I cite, as examples, the committees on: Emergency Planning; Federal Provincial Relations; Native Affairs; Race Relations; Manpower; Administered Prices; and, of course The Board of Industrial Leadership and Development (BILD). Then, too, it was found that Secretaries or policy field ministers did not usually have to be confined to policy. Thus, one saw such operating entities as the Youth Secretariat and the Senior Citizens Secretariat added to the Social Development field while Resources gained responsibility, among other things, for the Niagara Escarpment Commission.

As to COGP's effort to realign ministries, that too eventually gave way to other ideas—some new, some old. The grand design for TEIGA began to come apart in 1978 when the intergovernmental function was separated and a new ministry created to deal with this area. This was subjected to further change in 1981 when Municipal Affairs again became a separate portfolio, this time combined with

Housing. And, as noted, new ministries came on the scene, to reflect new priorities. Examples were Energy in 1973, Culture and Recreation in 1974, and Northern Affairs in 1977. As for many COGP rules that simply didn't work, such as long-term financial forecasts and required alternative recommendations, these were simply allowed to atrophy and die.

And did it all work? Well, remembering that just about everything is relative, my answer would be: "Yes, fairly well." Was it perfect? Obviously not! Universal happiness is somewhat elusive and when human beings interact, at whatever levels, even the most able and understanding are going to encounter difficulties. After all, there are problems even in big, happy families. So I suspect that, if you were to canvass those involved in Cabinet-level decisions in the early 1980s, there would be more than a few shortcomings that could and would be noted. But, in the main, I would stand by my assertion that, by moving to a more open, flexible, pragmatic approach, we developed a reasonable, workable, successful process for Cabinet government.

As for when Cabinet met, how did members go about their business? Well the basic format or agenda would look something like the following:

1) *Orders in Council.* These approvals, which generally were designated as the "routine" part of the agenda, related in the main to appointments and/or administrative changes, which legislation gave ministers the right to make via this route. In this phase of the exercise, the Premier brought forth his own list, which usually received particular attention since they involved almost all of the key agencies, boards, and commissions.

2) *Regulations—new and revised.* These, once again, were based on legislative authority. In the case of regulations they also reflected an initial screening and subsequent recommendations from the Regulations Committee, which technically was not a committee of Cabinet, but was composed of parliamentary assistants and chaired by a Minister without Portfolio, usually the Whip—who presented and explained them to Cabinet aided by the minister involved.

3) *House business.* This involved a report from the House Leader, based on his discussions with the Opposition House Leaders, and included not only the legislative agenda for the following week or

weeks, but a discussion of any strategic matters that might arise from the operations of the House.

4) Then came a lengthy list of reports of the various committees of Cabinet starting with:

a) Management Board, which would bring forth, for final approval, the minutes and recommendations of its meeting which had usually taken place the previous day.

b) The Cabinet Committee on Legislation—to this important body, which I have totally ignored to this point, was delegated the role of screening and reporting its recommendations to Cabinet on pending legislation. In addition, it would also deal with review of appeals of decisions of major agencies. The Ontario Municipal Board would generate most of the work, although others such as the Ontario Highway Transport Board would also come forward with a fair degree of frequency.

c) The Policy Fields—to which reference has already been made.

d) The Policy and Priorities Board, if it had met.

e) Any and all other committees of Cabinet that had met the previous week and had anything to report.

f) Policy Issues—these were the items that were brought directly to the Cabinet table and, with few exceptions, were supported by required explanatory documentation.

Cabinet sat on Wednesday morning and often into the afternoon. Normally the Cabinet agenda was put together and distributed by Cabinet Office to each member late Monday afternoon, but allowances had to be made, of course, for additional material which reflected meetings that had transpired either on that same Monday or the following day or, on occasion, even Wednesday morning preceding Cabinet. All of these subsequent developments were added to each minister's book just prior to the meeting. To the extent that the material was available, it was all assembled in the Premier's book late Tuesday afternoon and became the subject matter of review and discussion between the Premier and the Secretary of Cabinet on the drive in from Brampton each Wednesday morning—a circumstance that has been documented for the public record in the National Film Board presentation of the late 1970s entitled "The Art of the Possible".

Beyond the written agenda, the way was open for any Cabinet minister to attempt to gain time within the meeting for a matter not previously submitted to Cabinet Office. These were termed "late items", and constituted an approach, you will not be surprised to learn, that some Cabinet ministers were more prone to follow than others. The basic rule in this regard would be that the minister was free to approach the Premier to get a late item added and the Premier was free to decide whether he would raise it or not.

And what happened when they gathered around the Cabinet table to discuss all of these matters? In truth, nothing strikingly different from what you would expect whenever 25 or 30 people gather for a structured meeting of this kind. Some items were covered quickly, others went on at great length. Through most of the Davis years, a "Chairman of Cabinet" was appointed to guide the group through most of the agenda items and to try to maintain the necessary order. The Premier would take over for policy items, reflecting the importance attached to this element of the meeting and the route these items had taken. In the end, there can be no doubt that the tone and style of the meetings were set by the Premier. Mr. Davis, as has been commented upon many times, tended to work on a consensus basis. He would refrain, on most occasions, from inserting himself into the discussion at an early stage and he usually allowed the discussion to run its full course—sometimes that was for a lengthy period indeed. And while, in the end, the Cabinet was usually content to follow his guidance as to the decision to be taken or the route that should be followed, he seldom came to that decision or, as others have said, "grasped the consensus", without leaving the impression that he had heard everyone out.

In other words, Cabinet meetings, like so many other areas of government, bore the Premier's stamp and it is to this considerable influence which a First Minister brings to bear on the overall government operation that I now turn.

II.

Serving the First Minister

II.
Serving the First Minister

THE INFLUENCE OF THE FIRST MINISTER UPON THE internal workings of government is profound. Here is what Richard Crossman had to say about this aspect in the preface to his Godkin Lectures: "Mr. Heath is finishing his first year in No. 10 and has already provided a good deal of evidence on one of the chief questions I discussed with my American audience—namely whether Prime Ministerial Government is a more lifelike description of the British system than the traditional Cabinet Government."[1] Crossman continued, "What has transformed Cabinet Government into Prime Ministerial Government . . . has been the unique integrating role a British Prime Minister exerts not only over the Cabinet but also over the two huge bureaucracies which have developed since the time of Bagehot—the Civil Service and the Party machine . . . It is because he is the only man who wields central authority in all these fields that we can readily describe the British system as Prime Ministerial."[2]

While some might believe it exaggerates the role of the First Minister to suggest that we have "Prime Ministerial Government", we cannot deny the paramount role he plays in the total scheme of things. Given the way in which he gains the position, and the constant focus of media attention that goes with his role, this surely can be no surprise. From the leadership convention at which, in effect, he becomes a candidate for the Premier's Office and, throughout any election

campaign, he is seldom out of the media spotlight and, therefore, the public's attention. While there may be other schools of thought, it has long been my theory that, given the difficulty the average citizen has in understanding the complex issues facing our Province at any time, he or she comes to a voting decision by focusing on the three party leaders and deciding which of them merits the greatest amount of confidence. Thus, if the party enjoys election success, much of the credit goes to the leader/Premier and reinforces his central role in the subsequent operation of his Government. Conversely, when a First Minister falls out of public favour, so too does his Government, whatever its accomplishments.

Given his central role, the Premier, above all others, gives a personality to his Government. While one could draw many parallels in regard to both structure and process between and among the governments headed by Leslie Frost, John Robarts, William Davis, and David Peterson, there were and are fundamental differences in the style of each Government because of the differing personalities and styles of these four men.

Many of those who chose to comment on the Davis personality and style over the years seemed to feel it was best described as bland. To that, you will recall, the Premier responded: "Bland works."[3] But beyond that, I think the description was inaccurate, some might even say unfair. Certainly he wasn't flamboyant if measured by the standards of his federal contemporary, Pierre Trudeau. Nevertheless, there had to be something that appealed to the Ontario electorate that enabled him to be as successful as he was and to leave office with the polls indicating the highest favourable ratings he had ever recorded—and this after 14 years, more than enough time for most politicians to have worn out their welcome.

I am not going to attempt to engage in a systematic diagnosis of the Davis personality. Let me suggest, however, five or six basic attributes which, in my opinion, were a fundamental part of his make-up and which influenced not only the way he carried out his role as Premier but the entire operation of Government.

1) Being strongly competitive by nature, he possessed more than ample motivation to win the day whenever his Government found itself in the midst of controversy. The battle over energy pricing with

the Federal Government and Alberta in the late 1970s and early 1980s serves as an example of this characteristic coming to the fore.

2) He had the ability to compromise when necessary. Politics is, after all, the "art of the possible" and it requires a good deal of give and take. William Davis often embodied this point of view, knowing that a compromise struck today might put him in a stronger position to gain his ultimate objective down the road. The decision to agree to a reduction in the announced increase in OHIP fees in the 1978 Budget could be taken as a case in point.

3) His was a cautious but progressive outlook that allowed him and his Government to move ahead slowly and carefully, but move ahead, nevertheless. His period as Minister of Education was filled with progressive measures. As Premier he may have become more cautious but advances in such areas as French-language rights and, perhaps more strikingly, his stance on the Constitution reflected his desire to see the Province and the nation move forward.

4) He was imbued with a basic sense of decency which was reflected in the way that he dealt with people at all levels of the government organization and people outside of government as well. I have voiced, on previous occasions, my opinion that the Premier had particularly good rapport with the deputy ministers and I believe it was primarily because this aspect of his approach was apparent whenever he met with them, individually or collectively.

5) Combined with the above characteristics was a relatively unpretentious demeanour which, I would assert, allowed the general public to relate to him positively and which in turn enabled him to avoid most of the trappings of office, and the appearance of pomposity, that can so easily be adopted as part of the job. His demeanour spared him from accusations of arrogance that can arise so easily when a government has been in power for a long time.

6) Finally, his outlook was grounded in traditional, some would say old-fashioned, values that enabled him to establish his principles and allowed him to speak out on such matters as the family or the Lord's Prayer without appearing to be hypocritical or motivated by politics.

All these traits, as well as others that I may have failed to mention, combined with his high level of competence, general integrity, and what may have been the shrewdest political instincts in Canada, persuaded large segments of the Ontario population that firm and reliable hands were steering the provincial ship of state. In this connection, one of the important and influential elements of the Davis makeup was his extensive knowledge of government operations and the issues of the day. He had, after all, been a member of the Legislature for more than 25 years by the time his tenure ended and for almost all of those years he had been a member of the Cabinet, nine as Minister of Education and Minister of University Affairs, and 14 as Premier. There was very little that took place, therefore, that he did not know about or did not understand. And, as he used to say, there was very little that was really new. "Deep briefing" on issues was seldom a necessary activity in the Premier's Office.

I have quoted Richard Crossman in reference to the three areas over which a First Minister has control, namely the Cabinet, the government bureaucracy, and the party. From my experience, however, this tells only part of the story in regard to the major areas of responsibility that affect the life of a Premier. In addition, he must also give time and attention to:

1. *The government caucus* (which I distinguish from the general party organization and its machinery). The opposition and the media tend to paint an unfair picture that portrays members of that caucus as simply "sheep" who adhere to the party line. They can be far from that with the result that, both on an individual and collective basis, the members require the Premier's time and attention and often his persuasive touch. The collective solidarity of the caucus, while its usual public stance, does not happen by chance. It has to be earned by a steady investment of time—time to listen, time to persuade, time to reason.

2. *The Legislature*. This is where the Premier's presence and, from a government viewpoint, his leadership are required on a regular basis.

3. *The media*. Individually and collectively, representatives of the print and electronic media are constantly seeking the Premier's time and his comments on the issues of the day.

4. *Vested interests*. These are represented by both individuals and groups, who earnestly seek access to the Premier whether in terms of visiting him, having him come to their gatherings, or through telephone conversations or correspondence.

5. *His constituency*. We should never forget that, in order to become and remain Premier, it is necessary to become and remain an elected member of the Legislature. As was so aptly described in a statement originally attributed, at least in my hearing, to Paul Martin: "It is rather difficult to become a distinguished Premier of the Province if you can't get elected."[4]

6. *His family*. As neglected as it may seem to be, given the many demands of his time, a Premier still wants to maintain a family life and, while it may not be apparent to the general public, concerns about his wife and children will remain very high on his priority list. Certainly they did on that of Mr. Davis.

7. *Friends and associates*. Because a Premier is no different than any of the rest of us and has developed personal relationships that are important to him, these will continue to require time and attention if they are to be maintained.

8. *His personal staff*. In the case of Mr. Davis, this included both those in the Premier's Office and those in the Cabinet Office. While their main purpose was to help, they too required some attention every so often.

9. Finally, *time to read and think*. With so many people demanding attention, it is easy to allow activity to become paramount. But, given the important issues that confront a Premier, periods of reflection are an important, indeed necessary, part of his schedule.

All of the above place considerable demands on the Premier's time. It soon becomes obvious, therefore, that two extremely important questions, in regard to effective administration, have to be settled. How is he going to delegate responsibility in order to look after all the areas that fall within his span of control? How is he going to allocate his own time in order to deal with those matters which, therefore, require his personal attention?

From the standpoint of internal administration, I think that I can safely say that nothing was ever as contentious as the issue of how the Premier's time was to be allocated. Whom was he to see? Where was he to go? Was the party organization receiving a sufficient amount of his time and attention? Was the caucus? How was he expected to win his own seat if he didn't give his constituency adequate attention? Surely he had to spend more time in the Legislature. Surely he had to be more visible in the multicultural community. Surely he had to be certain to get to each major region of the Province on some type of regular basis. Why did he see so and so? Who suggested that he should go to such and such? Why was he taking Tuesday off? Who put that in the appointment book?

Given the varying views as to where the Premier should be and whom he should be seeing, no one will be surprised to learn that different procedures were introduced, from time to time, to get the situation "under control". Almost from the beginning of the Davis tenure, certainly before I arrived in the Premier's Office, the organization was structured to include someone to look after requests for appointments and to be the custodian of the appointments schedule. A second position was responsible for engagements outside the office, including all the necessary preparations. Naturally, once approved, such events were entered into the official appointments book and became part of the mix of activities.

These two officials, whose respective titles were Appointments Secretary and Director of Public Liaison, were responsible for receiving requests, logging each in appropriate detail, and doing some preliminary sorting. But other minds and voices had to be heard before final decisions were taken. Since most of the complaints about decisions regarding the Premier's agenda in this area came from his closest political advisors, attempts were made, at different points in time, to organize a committee of these same advisors and to review

requests—past, present, and future—in order to gain from their considerable insight and thus improve the final result. Strangely, even with this procedure, the controversy did not end and it soon became clear that it was never likely to do so. The real problem, of course, was that there was simply not enough time in any given day or week for the Premier to see or talk to all of those who might wish to consult with him or to go to all of the locations and events for which he received invitations.

In the end, therefore, we settled for the same approach that was so common in many other areas of the operation—the pragmatic. Nominally, his Deputy Minister was given overall charge of arrangements for appointments and events, subject, obviously, to the Premier having the final word as to what he chose to do or not to do. As requests were received they were circulated fairly widely throughout both the office and to the various political advisors thus giving each a chance to offer any comments that he or she might have to the Premier or the Deputy or the Appointments Secretary. Then, on a fairly regular basis, the Deputy would sit down with the Appointments Secretary and the Director of Public Liaison to go over the requests, listen to the comments, and come to some preliminary decisions, including alternative arrangements should it not be possible to fit a given request into the Premier's schedule. Finally, on more or less the same basis, we would all sit down with the Premier and get the final approvals.

Not too surprisingly, the longer a group of people work together and the more their thinking comes together, the more they can anticipate the Premier's likely responses so that there will be relatively few internal disagreements as to what decisions should be taken. And, given the number of people competing for his time, both on their own behalf or on behalf of others, you soon learn that everyone has to win one once in a while. Furthermore, while it is all very nice to deal with scheduling on a relatively systematic basis, being pragmatic means that you also have to be flexible. People, particularly members of Cabinet, need to see the Premier on relatively short notice and in many such instances, given the nature of the issues which they wish to discuss, one doesn't have to be particularly clever to realize that these requests are matters of priority. Similarly, not even the Premier can control external events to the point that his schedule does not have to

be changed, often at the last minute. Then, too, despite whatever wisdom and experience might be brought to bear on developing a schedule, we often miscalculated the time required for a meeting or event, thus causing a backup in the reception area similar to what most of us encounter in our doctor's or dentist's office.

All of this is by way of saying that, to make things work, it was necessary to hang loose and rest assured in the knowledge that we were somehow going to get through the day, the week, and the month in relatively satisfactory fashion whatever might happen. You also gain confidence from experiencing the amazing amount of tolerance most people will display toward a Premier who is in favour, when the schedule goes awry.

One final comment is appropriate in regard to the issue of time allocation. Given his ultimate involvement in the process, the Premier's Deputy Minister was often perceived and referred to as "the gatekeeper". And, as part of the perception, there was often voiced the notion that he, primarily, if not alone, decided who would get to see or who would not get to see the Premier. At the risk of sounding too defensive on the matter, let me say that the notion that any person, other than the Premier himself, controls the Premier's final agenda is unrealistic. A Premier is not a dupe who dances at somebody else's discretion. And he certainly does not operate in isolation. At any given time, there is a considerable array of people who have access to the Premier or who can easily gain his ear. Thus there are many routes that can be taken if someone wants to make a request of the Premier to see him or have him make a visit. All this was accepted and, in a very real sense, incorporated into the process which I have tried to describe. In the end, those interested in how such things work should be assured that Mr. Davis, certainly, was seeing the people he chose to see. Conversely, anyone who had difficulty getting access should know that it was because the Premier himself, and not some intermediate decision-maker, had so decided. And any time Mr. Davis was to be found at his cottage in Georgian Bay, rather than in his office or attending an official function, rest assured that this was his decision as well.

In some respects, dealing with the scheduling problems was typical of the requirements that had to be met in serving the Premier in the array of responsibilities which he had to discharge. In simple

terms, what was always involved were questions of delegation and subsequent coordination. And, to the credit of those who arrived in the Premier's Office in March of 1971, the general needs of the Office had been well assessed and an organization put in place to meet them—an organization that required very few real changes over the 14 years of Mr. Davis' incumbency.

The basic organization of the Premier's Office was consistent with the various demands placed upon the First Minister. In simple terms, the questions are, What will he be required to do? and, What kind of people and what kind of operation will be needed to assist him in doing it? For example, people were put in place to deal specifically with telephone messages, with the vast array of correspondence (some years over a 100,000 pieces) which he received, and with the individuals who came to speak to him directly, with or without appointments. Press secretaries were named to act as his liaison with the media. To ensure that the Premier was fully informed and adequately briefed for his responsibilities within the Legislature, a Legislative Assistant was named. On a different front, but based on similar reasoning, an official was named to maintain appropriate liaison with the residents in the Premier's constituency. Subsequently, to ensure that the Premier was receiving proper political advice on a day-to-day basis, a Principal Secretary was appointed and, while initially other techniques had been tried, that official also became the chief means of liaison between the Premier and members of the Government Caucus as well as the general Party apparatus. At first Hugh Segal and latterly John Tory occupied this post, both with the complete confidence of the Premier. Backing up these various functions, of course, there were support staff, a word processing centre, a records operation, and a small staff to look after the general administration.

While in the early years of the Davis administration, there was considerable attention, and criticism, directed to the growth of the Premier's Office relative to what had been in place for his immediate predecessors, Messrs. Frost and Robarts, the truth is that the total size never exceeded 60 people. And it remained relatively constant over the 14-year period. In assessing the quality of the people who served Mr. Davis in his office, and their effectiveness in their various areas of responsibility, I am far from an objective observer. But having had the

assignment which might have been described as that of "chief of staff" it was my responsibility to assess performance and make changes where required, so that I had ample reason to reflect on how well the Premier was being served by those around him. In my opinion few people in public office have been as fortunate as William Davis, not only in respect of the quality of the personnel who served him in an official capacity, but in the dedication and loyalty which they displayed on a consistent basis. From the young men who delivered the mail through the whole organization, to the Premier's personal secretary, Helen Anderson (an amazing lady who, at the end of the Premier's tenure as a member of the Legislature, retired with a remarkable record of 54 years of government service), I am hard pressed to think of a better group. Many of these members of staff, fortunately for him, continue to serve Premier Peterson; I have no doubt that the dedication and loyalty they display to him is of an equally high level.[5]

The same positive assessment I have offered for the staff of the Premier's Office should be directed, I hasten to add, to the approximately 40 persons who served as staff in the Cabinet Office. While those in the Premier's Office were, so to speak, acting as an extension of the man himself in covering the various areas of activity and communication that were required, the Cabinet Office served the Premier in his capacity as President of the Executive Council by ensuring that all preparations and subsequent documentation, for Cabinet and its several committees, were properly carried out. They were expected to keep track of what was going on and they did so in excellent fashion. And, while I bore the dual title of Secretary of the Cabinet and Clerk of the Executive Council for close to ten years, in truth the main burden of responsibility in the Cabinet area of operation was carried by the Associate Secretary, David Lewis, one of the most dedicated and competent civil servants one is ever likely to encounter.

One of the questions that arises consistently in discussing how you go about organizing to serve the First Minister is that of the linkage between the Premier's Office and Cabinet Office. Because the Cabinet Office is, and is perceived to be, a government/civil service operation, while several aspects of the Premier's Office, at least, are perceived to have political overtones, those who argue for a separation

of political activity and civil service activity also argue for a complete separation of the two offices linked only by the Premier himself. This is, in fact, the type of organizational structure that David Peterson put in place when he assumed office.

During the Davis years, and indeed during Mr. Robarts' time as well, the arrangement swung more than once between having separate deputies (whatever the title) for the two offices or having a single appointee assume both responsibilities, thus tying them together at that level. When Mr. Davis assumed office in March of 1971, both sets of duties were in the hands of Dr. Keith Reynolds and things remained that way throughout the early months of the Davis regime. In May 1971, following the publication of *Interim Report, Number Two*, in which COGP presented its initial suggestions for restructuring Cabinet and government, the decision was taken to separate the two sets of duties and this arrangement was followed until the fall of 1975. At that time, the Deputy in the Premier's Office, which I had become on January 1, 1974, was asked to assume the duties of the Secretary of the Cabinet and the two operations were linked once again.

There were a number of reasons for reverting to the single deputy concept. Some, I suspect, related to the reaction that by this time had set in with regard to COGP recommendations in general. Others undoubtedly arose from the political situation that prevailed following the 1975 election when closer coordination on several fronts, including the Premier's own operations, was thought essential to the management of a minority government situation. But a good deal of the motivation was generated as well by the considerable degree of confusion that seemed to prevail at that time within the senior bureaucracy as to whom their chief contact should be on issues they felt should be brought to the attention of the Premier and those around him. This confusion, which was discussed at the deputy ministers' council more than once, persisted despite efforts to clarify and identify how the two offices were different and what the scope of the responsibility of each was intended to be.

Furthermore, the Premier himself was often confronted with that confusion, as one or both of his deputies would vie for his time and attention or wonder aloud as to who was to look after a given issue or, worse still, come charging in with a problem which the other deputy had already brought to his attention. In the end, therefore, we reached

once again for a simple solution and put the two offices under a single administrative head which, while maintaining the distinctive roles of the two functions, was meant to ensure appropriate coordination and cooperation and clear lines of communication for others throughout the service.

Having discussed the various roles that were assigned with the Premier's Office/Cabinet Office, and then having commented on the decision to place the two operations under a single deputy minister, I suppose that this might be the appropriate time to attempt to describe the various elements of that job. I think, however, that it would be preferable to discuss first the role of deputies in general. And this should not constitute as much of a diversion as might appear since, as I shall note, the deputy ministers constitute an important group of advisors to the First Minister in the overall operation of the government. Consistent with that role, it could be argued, is the fact that appointments to this, the highest level in the civil service, are the Premier's prerogative. And while, as in so many other matters of government, advice was both offered and sought on such appointments from a variety of sources, the final decision was that of the Premier.

The process, in many respects, is similar to that employed when selecting people for Cabinet—particularly following the inauguration of a system of rotation introduced in the early throes of the COGP exercise. There are, to be sure, some fundamental differences. In selecting his deputy ministers, the Premier was not confined by the electoral process in regard to those whom he could choose. Theoretically the world represented the array of potential candidates, and competence and relevant experience were the major criteria for selection. However—and this is the only time, I assure you, that I shall raise the subject—the number of candidates from outside government was quickly narrowed down by the salary levels offered, particularly as they related to comparable positions in the business world. In the end, therefore, most of those selected were from within the government service, a necessary circumstance in any event if you are to provide appropriate motivation and incentive to the civil service work force. Further, as with Cabinet ministers, it was common to see deputies move up in the hierarchy of ministries from the smaller, less-demanding areas of government to the larger, more important assignments. From time to time, however, it was thought to be both

appropriate and necessary to bring a new deputy into government from outside the service either directly into the post or for a brief period at the assistant deputy minister or similar rank before moving up.

In regard to these decisions, the Premier's own Deputy was the chief instrument. It was his responsibility to keep track of the various views that had been offered by ministers and outside advisors or which had been solicited from these sources if the Premier thought that appropriate. When we reached the point when changes were deemed necessary, the Premier's Deputy would make up a list of proposed shifts for discussion, in which he would try to convey for the Premier's comments the various points of view, including his own. But the Premier also knew the players and had his own ideas of what would work and what would not. Inevitably, therefore, the Deputy would be sent back to the proverbial drawing board once or twice in order to develop it to a point that satisfied the Premier. In this exercise, of course, the objective was not only to seek the best person for the job, but also to make the best possible match of minister and deputy and to balance new opportunities with the need for continuity. As the Premier's Deputy, my reward for this effort was that I got to tell the other deputies of their new assignments, both those who felt they were hearing good news and those who might put a different interpretation on events.

As to the general responsibilities of a deputy minister, I assume that there is a fairly good understanding among this audience of what is involved. While it may no longer be appropriate to refer to those who hold the position as the permanent heads of a ministry, as is the case in the United Kingdom, they certainly are the operating or administrative heads of their ministries, and it is their responsibility to ensure that the entire ministry under their charge is organized in the most appropriate manner, that it functions as effectively as possible, and that policy directives are put into practice. It is also their responsibility to ensure that the minister is kept properly informed and that he receives the best possible advice in matters requiring his attention. In addition, we should not overlook the important integrating role that deputies play, both singly and collectively within the general government operation in ensuring effective relationships between and among operating ministries with common interests, and between operating ministries and the central agencies.

Now, as inadequate as that description may be, let me suggest that the role of the Deputy, Office of the Premier/Secretary of Cabinet was really no different, with possible variations in emphasis. To bring some degree of objectivity to a description of the assignment, I turned to a document prepared by officials in Cabinet Office for inclusion in the manuals that were put together to assist in the transition of Government in June of 1985. It described the main functions of the job in a manner which can be paraphrased as:

1. Directs and manages the Premier's Office and Cabinet Office including:
   a) day-to-day administration
   b) relationships with those reporting directly to the Deputy
   c) development of longer-term strategies and directions for the Premier's Office and Cabinet Office.
2) Advises the Premier on policy and programs through:
   a) chairing the Committee of Senior Advisors
   b) briefing the Premier before meetings of Cabinet and the Policy and Priorities Board
   c) attending meetings with the Premier on major policy and program initiatives such as the Budget
   d) chairing *ad hoc* meetings of senior officials from a ministry or ministries convened to resolve issues arising from major policy proposals prior to their consideration by the Premier and Cabinet.
3) Provides leadership to the Ontario Public Service in the areas of management style, working climate and human resources development through:
   a) chairmanship of the Senior Appointments Advisory Committee
   b) regular communication of policy in the above-mentioned areas with senior officials throughout the service

c) advice to the Premier on Deputy Ministerial Appointments

d) annual "accountability meetings" with Deputy Ministers.

4) Communicates decisions and requests on behalf of the Premier to Ministers and Deputy Ministers.

5) As Chairman of the Premier's Appointments Advisory Committee provides advice on appointments to Agencies, Boards and Commissions.[6]

Other sources have expressed more colourful, if not accurate, views as to the scope of the job.[7] For my part, I shall supplement the above description with a few comments of my own.

On the administrative side, the job was relatively easy. After all, the size of the Cabinet and Premier's Offices was such that they posed no large operational problems. When you combine that circumstance with the fact that there were highly competent people in each of the key posts, you will understand that administration did not require a great deal of "hands on" attention. Where it did, the combination of Ray McNeil, who was my chief assistant, and Irene Beatty, who had been in charge of the day-to-day management of the Offices since the premiership of George Drew, was more than adequate to cover the situation.

My main task was to try to enhance the family-like atmosphere that we tried to maintain and to ensure effective cooperation between the two units. Toward this end—and I mention this only because, so often, it's the little things that count—I attempted, as frequently as possible, to "drop in" on the various sections, if only for a minute or two, to let them know that I, and through me the Premier, was interested in their work and appreciative of their efforts.

On the communications side, the Deputy's Office often was "action central". As I have said many times in the past, it was usually easier to get direct and immediate access to Ed Stewart than to the Premier. And, hopefully, once people came to believe that any message given or received would be conveyed faithfully and without an abundance of editorial comment, my office became a conduit for a range of individuals from Cabinet ministers and deputies to members of the general public. In regard to communications, if any were

required with heads of major boards and agencies or the Speaker's Office or the Lieutenant Governor, this was usually handled by the Deputy as well.

Finally, in terms of advice, I truly believed that it was more important to ensure that the Premier received a full range of advice on any important issue than it was to ensure that my own point of view was heard. In many ways this is why the arrangements which I shall describe were so important in the scheme of things. I certainly enjoyed the opportunity to offer my "two cents' worth", but I also had the assurance that any and all excesses of opinion on my part or anyone else's would be tempered by the opinions offered by many others. A range of individuals played prominent roles in this regard. Instinctively, the Premier would reach out to his Cabinet colleagues, individually as well as collectively, on any number of issues, primarily having to do with their own portfolios, but often of a more general nature. Here again, as I mentioned in my first lecture, the general ability of some of the senior members of Cabinet was a considerable asset and the Premier was only using common sense in drawing on it.

Often in asking to meet with a minister to seek his advice, the Premier would ask that he or she be accompanied by the deputy minister. This reflected a number of circumstances, including the possibility that in a particular ministry or for a particular situation the deputy might be thought to have greater insight or more experience related to the matter at hand. Indeed, on some occasions, the Premier might choose to go directly to the deputy, although in most instances of this kind he would use me as his intermediary. Similarly when a deputy wanted to relay a message to the Premier he or she would usually choose the same route.

This inter-relationship of Premier, ministers, and deputies was an extremely important element not only in the way in which advice was offered, but in regard to the general effectiveness of the overall operation of government. How elusive the necessary cooperation can be was illustrated in Ottawa during the first part of Prime Minister Mulroney's 1984 term of office. At the risk of belabouring the point, let me cite a 1986 comment by Senator Norman Atkins, once he had had the opportunity to compare the relationships between the political leadership and the senior bureaucracy at Queen's Park and Ottawa:

> The Ottawa bureaucracy is like an elephant. You can't move it. In Ontario, under Premier William Davis, you could see things decided, proposed, and legislated. But my experience in Ottawa has been depressing and I question whether any government has the will to change it.[8]

Confining myself strictly to the Ontario situation, you will not be surprised to hear that I agree with the Senator that in Ontario the political leaders and the senior bureaucracy learned, in the main, to work effectively together. This is not to suggest, let me be quick to state, that everything has been perfect. Not every minister and his or her deputy have formed the perfect team. Not every minister has found himself surrounded by senior bureaucrats that he felt were the most brilliant in the world or the most creative when it came to solutions to problems or the development of new ideas. Conversely, not every member of the civil service has been impressed with the minister assigned to his or her ministry. From time to time, therefore, one could expect a minister to suggest that he would benefit from a new deputy and conversely a deputy or two might harbour the thought that a change in ministers might not be so bad. Only rarely did it get beyond that. James Taylor, a former member of the Ontario Legislature, and once a member of the Davis administration, was quoted as saying, "I walked in the so-called corridors of power only to be mugged in the back alleys of bureaucracy."[9] There were, as well, the highly publicized difficulties involving Doug Wiseman and Al Gordon when they were minister and deputy respectively in the Ministry of Government Services.[10]

But these were truly the exceptions and I believe that I can claim, without equivocation, that in my experience the vast array of senior civil servants with whom I had anything to do worked effectively with their ministers and served them loyally and to the best of their abilities, fully appreciating that, once policy decisions were taken at the political level, they were to be implemented assiduously. And I would further assert that the ability to understand how the system is supposed to work has been fully and effectively demonstrated during the transition of Government experienced at Queen's Park under Premier Peterson.

The notion of a non-partisan civil service, ready to serve politicians of whatever political stripe the people choose, is an

established part of the British parliamentary system. And it is one, I suspect, that the majority of those who show any interest in government would defend as not only desirable but necessary. After all, when a party leader and his colleagues form a government, they inherit the complete machinery of government, including the tens of thousands of civil servants who are assigned to the various ministries and their related agencies, boards, and commissions. They are dependent on them for the effective administration of the ongoing laws and regulations, policies and programs which they also inherit. And they must depend upon them for explanations and advice regarding these areas of responsibility. So loyalty and confidence are two attributes which elected politicians must assume, at least until they have been around long enough to assess the situation and form their own judgments.

On the issues of loyalty, I discern that it has become increasingly difficult for members of an opposition, and for some members of the media as well, to see many senior bureaucrats, whom they observe working closely with members of a given government, as being objective and non-partisan. Such scepticism is undoubtedly enhanced by the knowledge that the final decision about the appointment of all senior civil servants rests with the Premier of the day, based on whatever advice he chooses to seek. In fairness, such perceptions were undoubtedly enhanced because Mr. Davis' approach was to bring together, in given circumstances, all kinds of advisors, both partisan and nonpartisan, to discuss given issues. If a civil servant is seen to be sitting with "the enemy", is he surely not one of them himself?

Without question, no one was subject to the "political" label more than the Premier's Deputy. Although at the time I came to that post, I had been a civil servant for close to 20 years, my perceived associations with the political aspects of the Premier's Office were the subject of critical comment by both the opposition and some members of the media. Claire Hoy, in his biography of William Davis, was one of those who had critical comments to make about the matter. He reports my views in the following passage:

> But Stewart simply rejected the view that senior bureaucrats can be pristine purists whose only interest is administration, saying he wouldn't have been much use to Davis if he hadn't been part of the discussions leading to the

> ultimate political decisions. "If you're caught up in the old traditional textbook notions, which mean that politicians are here, the civil service is over there, and they both have quite separate functions and don't overlap, I guess the way we run our operation would be quite bothersome." I say those textbook notions don't apply any more . . . particularly in the premier's office.[11]

To me, the notion that you can keep administrative responsibilities and political considerations in distinct compartments at the highest levels of decision-making, including many of the responsibilities which involve the deputy (and I use the term in a general sense here) is naive and non-productive. I acknowledge that there are those who will disagree, and I expect to hear arguments about the matter with increasing frequency in the years ahead. But a deputy who claims that political considerations never influence his or her thinking, or the advice he or she is giving to the government, is either trying to deceive the public or is of limited value to the Premier and Ministers whom he or she serves. After all, it is possible to be political without being partisan. For endorsement of that assertion, just watch an episode of "Yes Minister".

The question of how loyal a new Government can expect its senior civil service to be is not a problem that is unique to Ontario. In the course of my years in the Premier's Office, I had the occasion to talk to counterparts living in other parts of Canada and in other areas of the Commonwealth as well. The only person who ever indicated to me that no such problem existed in his jurisdiction was, perhaps not surprisingly, Sir John Hunt, who at the time served as Secretary of the Cabinet in the United Kingdom. (I guess he'd never seen "Yes Minister" or read Crossman's diaries.) Elsewhere we have seen and heard about the degree of paranoia which Conservative Governments in Ottawa, going back to Prime Minister Diefenbaker's time, developed towards the senior bureaucracy long before they took power. We have also viewed, in recent years, in provinces such as Saskatchewan and Quebec,[12] some rather significant changes within the senior ranks of the civil service when the Government has changed. To the credit of Mr. Peterson, and to the credit of the senior civil service in Ontario, we did not see a large exodus of senior civil

servants in Ontario, although there has been an extensive change in assignments.

This new trend toward realigning a senior bureaucracy so that a government can feel comfortable with it is, in my opinion, now an established arrangement because the juxtaposition of administrative, policy, and political factors cannot be ignored. And the inevitable outcome is that changes of government will henceforth either bring about such changes in assignment, or ministers will be surrounded by larger and larger political staffs so as to ensure that the advice they receive from the civil service is properly balanced with political considerations. In my opinion, it is too early to say how effective this latter arrangement will be. Certainly the initial signs from Ottawa, where it was employed extensively after Prime Minister Mulroney took office, do not yield the impression that it is the complete answer.[13]

Let me return to members of Cabinet and their assistance to the Premier. Beyond the extensive consultation, which was an ongoing aspect of the Government's operation, Cabinet ministers were also often called upon to stand in for the Premier in meeting the excessive demands upon his time to attend meetings and events. Eventually the notion of having someone stand in for the Premier, in respect of his broad range of duties, evolved into the Office of Deputy Premier, the role that was assigned in 1977 to Robert Welch, a gentleman whose tenure in the Legislature was almost as long as that of the Premier himself and who, as is well known, held a number of important portfolios in the administrations of both John Robarts and William Davis. In the initial stages, the role of Deputy Premier was regarded as an additional assignment, over and above the portfolio which Mr. Welch was occupying but, in the last year or two of the Davis Administration, it became an office in its own right with legislation put in place to give the assignment a statutory base.

A particularly key member of Cabinet, whose assistance to the Premier was extremely important, was the House Leader. Through the initial years of Mr. Davis' first Administration, Eric Winkler was assigned the task. In the subsequent years, from 1975 on, first Mr. Welch and then Thomas Wells undertook the assignment and handled it most capably. The House Leader's role is to arrange an agenda for the Legislature, primarily to reflect government priorities in terms of legislation and expenditure approvals, and to see that the agenda is

carried out. Such an assignment obviously needs careful thought and planning. More particularly, it requires a high degree of cooperation from the opposition parties as well—a lesson that became abundantly apparent with the advent of minority government in 1975. I shall have more to say about the House Leader and the Legislature in the third lecture. Suffice it to say, at this stage, that the role requires both skill and diplomacy and both Messrs. Welch and Wells displayed these characteristics prominently.

The advice that Bill Davis received, as I have already stipulated, came from outside as well as inside Government. However wise the members of this Cabinet or the bureaucracy may have been, the Premier made a well-developed habit, throughout his 14-year tenure, of listening also to outside advisors. The existence of such advisors was, of course, a matter of considerable media attention. And, while it might be an exaggeration to suggest that any of those involved became household names, it sometimes appeared that they received every bit as much attention as leading elected members of the Government. One could almost count on annual stories appearing in the press with regard to those who were "close to the Premier" and, somewhere along the way, the designation "Big Blue Machine" came to be synonymous with this small group of people.

This disquisition does not require a detailed history of these associations. On the other hand, to ignore this element of assistance to the Premier would leave an important gap in the story. Let me start, therefore, by recalling the main players. Hugh Macaulay and William Kelly had been close friends and supporters of Mr. Davis, dating back to his days as Minister of Education, and were very much involved in assisting him during the leadership campaign of 1971. Following his election as leader, Mr. Davis invited Norman Atkins and Ross De Geer, both of whom had been associated with the campaign of Allan Lawrence, into his circle of political advisors. Mr. Kelly, now Senator Kelly, subsequently became the chief fund-raiser for the Ontario party, Mr. De Geer became the Executive Director of the party, and for a period of time Mr. Macaulay was given the title of Chairman of Organization and handled a great deal of the liaison between the Premier and the members of his caucus. While maintaining a lower profile, Dalton Camp was also known to have assisted the Premier from time to time during those early years.[14]

In my opening lecture, I made mention of the fact that, when the political fortunes of the government took a downturn in mid-1973, it was felt necessary to reorganize the staff within the Premier's Office. It was also felt necessary to augment, in some fashion or other, the outside advice which the Premier was receiving and it was at this stage that the irrepressible E.A. Goodman, Q.C., was asked to join the inner circle. He remained an important factor throughout the rest of the Davis period. Shortly after, a young man, who was then located in Ottawa and had run unsuccessfully in two federal elections, although he had only then reached the age of 25, Hugh David Segal was brought to Toronto to assist in preparations for the 1975 election campaign. Through the years immediately following, he was a member of the Premier's staff but later, when he left for a private sector career, became an important member of the advisory group.

The membership in the group changed somewhat over the years as people dropped off and some were added. For example, when Hugh Macaulay was named Chairman of Hydro, he ceased to be active as an outside advisor to the Premier as, of course, was the case with Ross De Geer when he was named Agent General in London. Thus in later years, first Pat Kinsella and subsequently Robert Harris, in their capacities as Executive Director of the Party, were seen to be included among the outside advisory group. Also added to the group in later years were Thomas Kierans, the President of McLeod Young Weir, and Robert Butler, former Chairman of Eaton's, who served, during an earlier period, as a deputy minister in the Ontario Government.

There is no doubt that the Premier relied a good deal on these outside advisors for ideas and comment on the wide variety of activities in which his Government was engaged. There is no doubt, either, that their existence and the degree of influence that they were perceived to have, was controversial both within and without Government and apparently, within and without the Party. However, without being able to document this in any way, I would be inclined to believe that any Premier or Prime Minister has non-elected friends and associates whose advice he feels is important and who, in turn, are dedicated in their service to the Premier and loyal to his leadership. I would be very surprised, for example, if our current Premier is not so served by a small group of people who fall within this general category. What was different with the members of the so called Big Blue

Machine, I would suggest, was the degree of profile which they attained, the amount of attention that was given to their various gatherings, and the degree of influence which they were perceived to have. But we should note that it was all being carried out in relatively open fashion—no one was a grey, unknown eminence. Their varied interests and adventures were a matter of record, and few within the group were reluctant to speak up when confronted by the media.

The roles of these individuals were numerous because they served in both individual and collective capacities. I am not in a very good position to describe the individual contacts and contributions because each of these individuals knew the Premier's home telephone number as well as I did. Collectively, as has been well described elsewhere, they would gather with certain members of the Cabinet each Tuesday morning in the Premier's suite at the Park Plaza to discuss the issues of the day and each of them, with the exception of Robert Butler, served as a member of the Premier's Appointments Advisory Committee (PAAC), the group which made recommendations to the Premier on those appointments to boards, agencies, and commissions that the Premier would take forward as recommendations to Cabinet. In addition, these individuals also tended to form the nucleus of any "war council" that was asked to assemble whenever matters were thought to be serious and required high-level attention.

As I have noted, the Tuesday morning sessions were a well-established and well-publicized part of the routine. Added to the outside advisors and members of Cabinet who attended on a regular basis, were the senior staff of the Premier's Office—the Deputy Minister, the Principal Secretary, and the Executive Coordinator. On any given Tuesday, this group would be supplemented by a minister or two, who were not regular attendees, as well as their deputies, if an item on the agenda related to the operation of their ministries. The meetings were, obviously, private sessions and I must report that the confidentiality of the discussions tended to be considerably more secure than, say, those of Cabinet meetings. For that reason, I am not inclined to seize this occasion to start telling tales "out of school". Suffice it to say that the agenda was based on "issues of the day", the discussions were not inhibited by any notion of order of debate, and the advice offered was generous in quantity and diversity.

In the initial phase of the Davis Administration, these sessions, however and wherever they were held, tended to be confined to outside advisors. That arrangement, I suspect, was somewhat more acceptable as long as the success attained by the Government in the 1971 elections, in which these advisors were perceived to have played an important role, was sustained. When, however, the level of public support began to run downhill this, along with many aspects of the Premier's style of operation, was subject to a great deal of criticism internally as well as externally. Following the 1975 election, while there was a considerable feeling of satisfaction among these advisors that the Government had survived, in the face of the pollsters' predictions during the campaign, it was also obvious that some fundamental changes had to be made.[15] Paramount among these was the need to bring various elements of the elected government, party officials, and outside advisors together so that they could operate with the required degree of harmony. One of the first steps taken in this regard, therefore, was to add to the Tuesday morning advisory group a number of senior members of Cabinet (i.e., McKeough, McMurtry, Miller, Stephenson, Welch, Wells—the more senior members either from the standpoint of length of service or portfolio) so that the Premier might benefit from this mixture of people and ideas and so that, if any of those ideas were to transfer to the Cabinet table the next day, or at any other subsequent time, there could be people, other than the Premier himself, who could speak with knowledge and conviction about what had been suggested.

It has been suggested by more than one observer of the period that the Tuesday morning "breakfast club" was the place where the real decisions were taken. My observation is that this is a highly exaggerated notion of what these Tuesday morning discussions were all about and that in the end, whatever might have been suggested or decided on Tuesday morning, nothing became official, no program was launched, or change in policy made until it had been discussed around the Cabinet table and the Government decided formally and officially what it was going to do. I think it is also accurate to say that it was following the 1975 election, and for the same type of reasons, that the Premier began to broaden the consultative process on other fronts as well. In many respects this was consistent with the changing times in which the government found itself and, in some ways, reflected an

attempt at least to move in the direction of the wider participation which activist students in Ontario and elsewhere had brought so forcibly to the attention of university officials in the late 1960s.

It is now well understood, in organizational terms, that people who are going to be affected by decisions feel that they should be given an opportunity to participate in the formulation of those decisions. While it is also clear that this approach cannot be applied on a universal basis by government, it does suggest that government can benefit by listening and consulting on as wide a basis as possible, particularly with people who have experience and knowledge of the matter at hand, before coming to its own conclusions as to what steps need to be taken. This led, over the years, to a number of bodies being organized and steps being taken to allow the Premier to have access to a broadly based array of ideas and suggestions. Let me cite what I would regard as the most important examples.

1) Twice annually, the Premier would call a policy conference which tended to be a bit of a moveable feast since it was held in various parts of the Province—in summer, in such locations as Deerhurst, Elgin House, and the Red Oak Inn in Peterborough, while in the winter it tended to stay a little closer to home, using such sites as the Mississauga Inn, and the Renaissance Hotel and the Guild Inn in Scarborough. To these sessions would be invited not only those who were members of the Tuesday gatherings, but additional members of Cabinet, members of the government caucus, senior bureaucrats, and members of the business, corporate, and academic communities, many of whom would have no direct connection either with government or the political party which formed the government. The agenda would consist of items that were thought to have social or economic significance for the Province in the months ahead, and often speakers were invited to lead the discussion on the topics selected. Hopefully, the ideas that were thought worthwhile could be picked up by those within government and pursued in greater detail through the normal channels.

2) On an ongoing basis, the Premier also appointed an economic advisory group with whom he tended to meet more or less on a bi-monthly basis. On this body, there were none of his outside advisors, with the exception of Tom Kierans, but there were those Cabinet

Ministers who portfolios related to the economic development of the Province, i.e., the Treasurer, the Minister of Industry and Trade, the Chairman of Management Board, to name three, and an array of individuals from other segments of the Ontario economy, including business, financial, and academic leaders, union spokesmen, and representatives of such bodies as the Ontario Federation of Agriculture and the Consumer's Association. Deputies from the ministries whose mandates related to the discussions were invited as observers. Here again, the purpose was to allow for wide-ranging comment on matters which were of importance to the Province, in anticipation that the Premier and his ministers would benefit directly if they could hear the various and often conflicting opinions which the diverse interests around the table were bound to generate.

3) Discussion and advice were also forthcoming from a third group with whom the Premier and ministers met regularly, and which adopted the name of the Business Advisory Committee. Originally proposed by the Ontario Chamber of Commerce, this committee was composed of a large number of business leaders who would gather on a rotating basis—again bi-monthly—to discuss the ever-present list of questions and concerns they would have about government programs and policies.

4) Finally, note should be taken of the fact that, on an annual basis, the Premier and a large number of his Cabinet colleagues would meet with, and receive briefs from, organized groups such as the Ontario Federation of Labour, the Ontario Chamber of Commerce, the Ontario Teachers' Federation, and the Provincial Council for Women. Cabinet ministers, within their policy groups, would receive delegations from an even larger array of organizations.

Should this rather limited description of examples of the consultative process need elaboration, one could get a more direct impression once again from the National Film Board production "The Art of the Possible", which attempted to get inside the Ontario Government for a period of time and to record how the process worked. Specifically included in the film were discussions taken at one policy conference held at Niagara-on-the-Lake, and of the Economic Advisory Group meeting at Queen's Park. No sessions at the Park Plaza were included.

Having reviewed these various forms of consultation, I consider it appropriate to comment again on the Premier's constant inclination to intermix those who offered him advice. He did not hesitate to bring to the same table his political allies, members of his Cabinet, and members of the senior bureaucracy and outside experts in order to tackle given problems. This was consistent with his pragmatic approach. It saved a lot of the time and effort that can be involved if you attempt instead to keep the various groups apart and make yourself the arbiter or moderator should their advice be conflicting.

Recently, I noted a comment by a newspaper columnist that this tendency to involve civil servants in such forums reflected the "arrogance" of the Davis Administration, an observation based, I suppose, on the notion that the Premier simply regarded the bureaucrats as part of his political team. While everyone is entitled to his or her opinions, I would argue that the chief motivation in involving them was to get the best results—by giving those who supposedly had particular expertise an opportunity not just to participate, but to do so by arguing for their point of view directly with others who were advising the Premier from a different perspective. Again, it was an example of coping with reality and, acknowledging that policy and administration cannot be neatly segregated into water-tight compartments.

In "The Art of the Possible", the director, Peter Raymont, attempted to portray how Government operated by concentrating on the preparations for three particular events—The Speech From the Throne, The Budget, and a Federal-Provincial Meeting of First Ministers. Perhaps it would be appropriate, therefore, if I were to choose the same three activities to close this lecture by outlining, in somewhat greater detail, the process by which various individuals and groups were brought together to assist the Premier in carrying out his responsibilities.

The Speech From the Throne and the Budget are annual events. The process followed in their preparation, therefore, was, and probably remains, well-established. The major responsibility in assisting the Premier with the Speech rested with the Cabinet Office and, primarily, the Secretary of the Cabinet. The initial step was to canvass each ministry, some two to three months in advance of the opening of the Legislative Session, in order to solicit ideas and comments which they

felt should be included in the official statement of the Government's program for the year. The emphasis, obviously, was intended to be on new and, hopefully, imaginative initiatives either in the form of legislation or program introduction or revision. This solicitation of ideas was usually interpreted as an opportunity for each ministry to find its place in the sun and to gain the assurance that it would be able to proceed with some initiatives which it held close to its heart since, through The Speech From the Throne, the Government would be making a public commitment. The general understanding within Cabinet Office was that, in responding to this request, a ministry would either have gained the approval, from Management Board, for the necessary funding of the program which it was proposing or already possess the necessary funds in its budget. Needless to say, the ministries did not always feel it necessary to have such financial arrangements in place and, indeed, often seemed to adopt the attitude that, if they could only get their program announced in The Speech From the Throne, the necessary funding would inevitably follow. For this reason, having seen the controversy that could arise when "unapproved" initiatives found their way into the Speech, an agreement was reached between Cabinet Office and Treasury and Management Board to allow officials of the latter bodies to vet the material which was being considered, thus ensuring that if the Government announced a new undertaking it would have the money to support it.

Adequate financial support is not the only consideration that came to the fore in decisions as to what was or was not to be included in the Throne Speech. The Throne Speech is not only an official government document, it is also a political document. Through it, the Government is not only attempting to announce its intended program, but to demonstrate as well what a firm grip it has on the needs of the Province and how effectively it intends to act in dealing with them. Political judgment, therefore, is also required. Thus, when material had been received from the various Ministries and an initial sorting had taken place within the Cabinet Office, along with the vetting by Treasury and Management Board officials, it was necessary for someone to take the various ideas and put them into the script form of the actual speech itself. For a number of years, Joy Gordon of the Cabinet Office staff undertook that responsibility. Latterly, after her

transfer to work for the Agent General in Paris, Les Horswill was borrowed from the Ministry of Treasury and Economics to apply his considerable talents to the task.

Once the first draft was put together, and the Premier had an opportunity to review it quickly, it would then be dispersed by him to the political advisors he would designate for their comments. Not surprisingly, they were usually numerous. The advisors would like some parts and not others. More pointedly, however, having assessed what they felt were the chief political considerations within the Province, they would point to areas where consideration was thought to be needed but none had been given. At this stage, it would then be necessary to go back to the responsible ministries to see what could be done to satisfy these perceived needs and, at times, special arrangements would have to be made with Treasury and Management Board officials to ensure that they were supportive.

While the Speech, as such, was not circulated widely, at least in its entirety, obviously it was necessary to double-check final wording with each ministry whose material was included in order to ensure that the people who put the Speech together had interpreted properly the material which had been submitted. This had the further virtue of ensuring that there were no surprises for the minister or ministry when the Speech was finally delivered. The last stage was usually the preview reading of the Speech to the entire Cabinet, either the day before or, indeed, even the morning before the actual opening of the Legislature. While last-minute amendments were possible, if some serious error or omission was identified, they were not encouraged.

The Budget, in many respects, followed a similar procedure with one major exception. This document was, first and foremost, the Treasurer's statement, and he and his ministry staff were responsible for its makeup. However, as is widely recognized, Governments can literally stand or fall on the basis of a Budget presentation so, of necessity, the Premier had a rather direct interest in what form the Budget was to take and required the necessary input to influence that determination. The fairly simple pattern that was followed to provide the Premier with that assurance was for the Treasurer to have regular meetings with him during the weeks and months that passed in the run-up to the Budget. At those sessions, the Treasurer would bring forth particular ideas with which he might be toying in order to gain

the Premier's reaction, both in terms of the fiscal ramifications and, once again, the ever-present political considerations. While engaged in these regular discussions with the Premier, the Treasurer would also consult with fellow members of Cabinet, on an individual basis, in regard to areas that might affect them directly. In latter years, the Treasurer would also engage in wide-ranging discussions with an array of special interest groups in order to solicit their ideas as to what the Budget should include.

The final step would take place a week or so prior to the Budget presentation, when the Premier and some of his senior staff would be invited to the Treasury offices for the full Budget presentation so that the Premier might give his overall reaction and suggest any changes that he felt might be necessary. This became, in effect, the final stamp of approval before the Budget was put to bed, so to speak, and sent off to the printer.

When William Davis announced his intended retirement as Premier in the fall of 1984, there were the inevitable media reviews of his 14-year tenure. What had been his major accomplishments, many people were asked and, invariably in the answers received, reference would be made to the 1982 federal-provincial accord that led to the patriation of the Canadian Constitution. It would seem appropriate, therefore, to examine the preparations and supporting activities that related to this event, as a case in point, concerning how the Premier was assisted in the area of federal-provincial relations.

As in the prior examples, this exercise followed the common pattern of taking steps to get the Government's act together, to call upon the people who had something to contribute and who could make it all work, and then giving those individuals a chance to participate and help to achieve the ultimate result. In the case of the constitutional discussions, the major players were to be found within the Ministry of the Attorney General, the Ministry of Intergovernmental Affairs, and within the Premier's own staff in Cabinet Office and the Office of the Premier. Here, however, the process was considerably more complicated because it was not only necessary to sort things out within the Government of Ontario but, in turn, for the Government of Ontario to come to some agreement with both the Federal Government and the other nine provinces. As is well known, such results are not easily accomplished.

The so-called constitutional issue was present throughout the years of the Davis administration. Despite the disappointments occasioned when the accord struck in Victoria in 1971 subsequently collapsed, Mr. Trudeau never gave up on the notion that the Constitution could be patriated and, as a result, the issue never strayed far from the table of federal-provincial discussion. Varying views were put forth from all sectors of the country and, in Ontario, the Davis approach to reconciling these views was adopted in the appointment of an Advisory Committee under the chairmanship of Ian Macdonald, then President of York University.

Within Government, Mr. Davis received his main streams of advice from two ministers, Roy McMurtry, the Attorney General, and Thomas Wells, the Minister of Intergovernmental Affairs. Even within Government the challenge was to resolve sometimes conflicting views, particularly as they related to the issue of parliamentary supremacy, a principle that some felt would be eroded by the proposed (and subsequently approved) Charter of Rights and Freedoms. While this work was being done internally, Ontario officials, particularly those within the Ministry of Intergovernmental Affairs, kept constant lines of communication open to officials of the other provincial governments of Canada so that Ontario would have an accurate reading on where they stood on the various facets of the negotiations. This also included liaison with the Federal Government although, in this regard, the contacts between Mr. Davis and Mr. Trudeau came through a well-established linkage between Hugh Segal, in his capacity as Associate Secretary of Cabinet and Michael Kirby, who was Secretary to the Cabinet for Federal-Provincial Relations in the Federal Government.

Once again, of course, developments related to the Constitution were not without their political considerations, and hence the views of the Premier's political advisors were sought and their assistance utilized. In general, the various players worked as a team in order to ensure that the Premier received a comprehensive and cohesive point of view from his relevant ministers. This approach was also intended to ensure that, once the Premier had decided on the path that Ontario was to take, all spokesmen for the government sang from the same proverbial hymn book and were not establishing independent policy lines. (The Attorney General's efforts to maintain good relationships

with one of his chief client groups, the police, by supporting their objections to the Charter of Rights, can be taken as evidence that this goal of a single position was not always easily accomplished.)

The role of the Premier's staff in this rather complex exercise might be viewed as more akin to that of an air traffic controller than of a policy advisor. The Premier's own depth of commitment, plus the strongly held views of his civil service staff and political advisors, made the generation of policy options unnecessary. Clearly, however, for Ontario to impact on the national process, the management of its internal policy, in tactical terms, was of paramount importance. In the end, once the Ontario position was determined—that position, in which it was joined by New Brunswick, being to support patriation of the Constitution and a Charter of Rights and Freedoms—the great challenge was to stick with it in the light of the fact that the remaining provinces refused, until the eleventh hour, to go along with such notions. These eight provinces formed an alliance that opposed patriation in the absence of their consent. In the end, and after a momentous Supreme Court decision, as we are all aware, the First Ministers resumed negotiations in November of 1981. These featured the famous, last-minute effort in which, with "phones ringing throughout the night", seven of the eight recalcitrant provinces came on side and the accord became a matter of history.

To conclude, the basic theme, which I hope this lecture has made clear, is that, while a First Minister is expected to lead and be front and centre when the big events take place, he can only play his role if he has the support of many people. And he can only succeed if their efforts are effectively coordinated to ensure that team work prevails.

III.

The Legislative and Political Environment of Cabinet

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THUS FAR, I HAVE ADDRESSED THE ORGANIZATION and role of Cabinet and then the functions of the First Minister and those who strive to assist him in his multiplicity of duties. While it is fair to say that, collectively, the Premier and his Cabinet are undoubtedly the key players in the government process, they do not operate in isolation. To the contrary, they are immersed in the immediate environment of the Legislature and its various official emanations. And beyond the Legislature lies the social, political, and economic reality that is the Province of Ontario, a reality constantly brought home to Cabinet and Premier through the workings of special interest groups, public opinion, and the media. In this lecture, I shall focus upon certain elements of this larger environment, all of which have considerable influence on the decision-making process in Government.

In moving beyond the confines of the Premier's Office, the Cabinet room and the bureaucracy, I am undoubtedly treading into what is for me somewhat more difficult, if not dangerous territory. After all, in respect of the aforementioned areas of government activity I was a player and can speak, hopefully, with the degree of authority that comes from having been there. I was not, however, a member of the Legislature, a representative of special interests, or a member of the Press Gallery. My perspective is, therefore, not likely to be

consistent with the points of view that might be developed by representatives of any of these organizations regarding their work or their relationships with government. Neither, as will become obvious, can I pretend to offer an objective assessment of the contribution of these various bodies. What I can offer instead are simply views formed from the experience of dealing with these "external elements" while working within the Premier's Office and Cabinet Office. This lecture, in effect, is thus "a view from inside looking out".

As noted at the outset of my initial lecture, the whole process of deciding who will "form" the government and, therefore, what kind of government we are to have, begins with the election of representatives to the Legislative Assembly. That Assembly, once elected, operates as the forum in which its members, divided into disciplined party teams (i.e., the Governing Party, the Official Opposition, and the Third Party), debate the Government's policies and programs and hold it to account. This forum is, arguably, the major battlefield on which the political wars of Ontario are waged.

During the Davis years, sittings of the Legislative Assembly, with certain exceptions, adhered to a pattern whereby it was common to start a new session sometime in March with the traditional Speech From the Throne, and continue to sit until the last days of June, at which time the effects of warmer weather and thoughts of summer holidays led to an adjournment. The House would then reconvene immediately after Thanksgiving and continue the session until the spirit of Christmas would take over and the House would prorogue until the following March, when the annual cycle would begin once again. This pattern, of course, did not prevent committees of the Legislature from meeting either during summer months or in the January to March period or, as was publicized from time to time, taking trips both within and without the Province to gain further insights concerning whatever their relevant tasks might be.

At the risk of being simplistic about a relatively complicated and important process, I suggest that the various activities and the countless words that are exchanged in the Legislature can usefully be divided into three major categories: 1) the debate and subsequent approval or rejection of new and revised statutory laws for the Province; 2) the debate and subsequent approval or rejection of the Government's fiscal plans, i.e., the Budget and the spending

appropriations for each ministry; 3) exchanges and debate on "matters of urgent public importance"—an activity that takes place during every sitting of the Legislature during Question Period as well as in special debates. Such special debates would include not only those that relate to the Speech From the Throne and the Budget, but those arising from reports of legislative committees and from private members' bills and resolutions. They also can take place on an "emergency basis".

As for legislative committees, they act as extensions of the Assembly in its review of legislation and the Estimates. Their practice of often allowing citizens and organizations to appear directly before them to air views and opinions adds another important dimension to the work which the elected members perform. The legislative committees take two forms, standing and select.

Standing Committees, as the name implies, are more or less permanent, since they are related to aspects of government organization or classes of issues that are more or less ongoing. In the latter stages of the Davis years, there were eight such committees. Three—Administration of Justice, Resources Development, and Social Development—reflected the policy field groupings within Cabinet. Another three, whose names describe their functions, were the Committees on Public Accounts, General Government, and Regulatory and Other Statutory Instruments. The two remaining Standing Committees focused upon matters internal to the Legislature, namely Procedural Affairs and Members Services.

In addition, other committees can be established from time to time to deal with special matters. These are referred to as Select Committees. More than one such committee, for example, was established during the Davis years to deal with Ontario Hydro. Others that come to mind related to layoffs at Inco and Falconbridge in 1977 and to care, financing, and costs in the health field in 1978. And, with reasoning that defies me, for it involved ongoing rather than special matters, a Select Committee dealt with the operations of the Ombudsman's Office since 1976, although I understand that this has now been turned into a Standing Committee.

The manner in which the elected members perceive their work within the Legislature and its committees is undoubtedly shaped by the side of the House on which they happen to sit. From a government

perspective, what is involved are the procedures necessary for the approval of its legislative and spending programs. From an opposition standpoint, what is key are the means by which they fulfill their obligation to hold the Government to account for its policies and programs. What goes on in the Legislature is, and was intended to be, an adversary process and, as is clear from the designation placed upon them, the Opposition Parties are there to oppose.

The strategies and tactics that are adopted to fulfil these responsibilities require little description, especially since it has become possible to turn on a cable television set any day the House is in session and watch the drama unfold. There is even a choice between Ottawa and Queen's Park. I used to say when I worked within fifty feet of the Assembly, that it was too bad that others couldn't have the same ready access that my colleagues and I had to seeing or hearing what takes place. After all, as we said, "Question Period each day is the best show in town"—lots of dramatics, lots of role-playing, lots of noise. It is now available in virtually every living room in Ontario.

There is much talk these days, in various areas of trade and economic regulation, of the need for a "level playing field". Well, the Legislature, whatever the numbers of either side, is as close as you can get to that level playing field in the political game. Indeed, there are many on the Government side who would go so far as to suggest that the Legislature is primarily an opposition forum. After all, in what other context does the Opposition get such an opportunity to display its talents while attacking the Government and pointing to its deficiencies? And, more important from the opposition perspective, where is there a better opportunity to get the media to pay attention and report it all to the general public? I would suggest there is probably none. If an opposition leader or member is ever going to improve his or her public image, he or she will never have a better chance to do so than in the Legislature, particularly during Question Period each day. Conversely, when the Legislature adjourns or prorogues, the opposition parties often seem to fade from sight.

Given these circumstances, it will not be surprising if I report that, from the Government's perspective, many of its members, particularly those in Cabinet, were not totally unhappy when the Legislature was not in session. That point of view, you will understand, was not one that was likely to be aired publicly. After all,

the legislative forum is at the centre of our democratic system, so for a Cabinet minister to suggest that any other aspect of the Government's operation was more important would be held to be misguided or arrogant or both. Indeed, Cabinet ministers were more prone to talk about how they enjoyed the give and take of debate and how much they looked forward to the challenge of Question Period each day. And some probably did.

But, for many Cabinet ministers, there were often a good number of places where they could be or would prefer to be than sitting in the Legislature waiting for the next question, never mind a possible attack on their intelligence if not their integrity. There were, after all, many other people and issues demanding their time: their staff; the administrative duties of running a Ministry; meeting with client groups; attending conferences; opening new buildings. Further, not every minister's strengths lay in his or her ability to debate. Ministers who ran their ministries well did not necessarily perform well in the House.

Indeed, given the many conflicting demands, and the temptations which they generated, one of the essential elements of running a Government effectively, from the Premier's perspective, was to ensure that these did not dominate a minister's agenda. That was why, through the collaboration of the Government Whip and the Premier's Office, a good deal of effort was exerted in trying to be certain that sufficient numbers were present on the front benches for Question Period each day—particularly Fridays (which, it may be noted, were eliminated from the legislative calendar by the Peterson Government).

Now let me digress slightly to expand on the matter of numbers and attendance, since this is a very important factor in the ongoing operation of Government, both within the legislative context and as it relates to the public perception of its effectiveness. When a Government has an overwhelming numerical advantage, the First Minister, his House Leader, and his Government Whip can be fairly relaxed about their ability to produce sufficient numbers for either regular attendance or votes in both the House and Committees. But in the Ontario Legislature as I knew it, numbers were very tight. Even a majority of 15 or 20, when such existed, could quickly erode if constant attention were not paid to where the government members planned to be. This applied not just to the Legislature as a whole, but also to its committees, where the Government's numerical advantage might be

only a member or two (for example when there were 125 members, a House standing of 70 to 55 became seven to five or seven to six).

Beyond the constant efforts of the Whip, the Government's legislative planning committee—consisting of representatives of the Cabinet Office, the Premier's Office, the government caucus, and the House Leader's staff—reviewed the work of the committees and developed an awareness of where attendance was particularly important. As to ministerial attendance in the House, the Premier would make it a regular part of every Cabinet meeting to review the reported intentions of each of his Cabinet colleagues for House attendance during the ensuing week in an attempt to ensure that the front benches were reasonably full, particularly for each Question Period and especially on Fridays. Poor attendance by ministers during these daily accountability sessions was thought to be a sure way of generating stories that the Government is becoming arrogant and no Premier wants these kinds of reports disseminated to the general public.

Another reason why the Legislature was not always seen in the same important light by the Government, as distinct from the Opposition, arose from the fact that many of the elements of governing did not require the Legislature's participation or approval. Statutes passed at previous sessions had assigned considerable authority to ministers by allowing them to formulate regulations, orders in council, or even administrative directives on their own initiative. Even a certain amount of additional spending can be carried out without legislative approval. And, of course, Canadian federalism has given rise to a constant round of federal-provincial and interprovincial meetings which can produce agreements that are outside the legislative context.

These comments are not intended to play down the utility of the Legislature or the vital role that opposition members play within it. It is important, however, to view the work of the Legislature in perspective. Crossman, who is obviously talking about a majority situation, (and I'll get to the considerable differences between a majority and minority situation) explains it this way: "I shall indicate to you later how little the House of Commons can do. It is no longer a power but a place where things happen. There are people in it who can do things but it has itself ceased to be an authority and the reason why is that its power is not separated from the executive's power . . . ."[1] He

continues: "... It would hardly be stretching the facts, or language or imagination to conclude that the House of Commons today has the right which Bagehot attributed to the monarchy: the right to be consulted, the right to encourage and the right to warn."[2]

Whatever the accuracy of Crossman's perspective, the rights to which he refers are powerful rights and it would certainly be incorrect to assume that a Government, however large its majority, has a free hand in terms of its policies and programs. The combination of opposition politics and the media creates a very effective watchdog. And we can expect that the Opposition will raise in the legislative forum any government decision or action which it feels requires criticism and debate, whether it requires legislative approval or not.

In this regard, one of the most effective tools that opposition members have in a situation where the Government holds a majority is the means available to them to influence, if not determine, the pace of the Government's legislative program, to disrupt proceedings if it feels this to be appropriate, and to maintain pressure until some kind of accommodation is reached.[3] Here is what Crossman has to say on that matter:

> In the last resort, even today, the Government remains at the mercy of the Opposition. At any moment, if the Opposition feels driven to do so, it can withdraw its cooperation and bring Parliament to a standstill ... if the Opposition gets really nasty, it can soon make life impossible for the Government, which needs to keep a stream of formal business, administrative orders, and approval moving through Parliament in order to prevent a complete paralysis setting in. Thus, there does remain an ultimate sanction; and even the most compliant Opposition leadership can be forced to use it if the Government is really outraging Parliament and public opinion outside. There are times in the life of each Parliament when Opposition backbenchers have recourse to filibuster and obstruction. But normally the operation of the usual channels keeps business proceeding according to a timetable despite these outbursts.[4]

The "operation of the usual channels" to which Crossman refers is, in the main, the responsibility of the Government House Leader and

his counterparts in the two Opposition Parties. That is why they are such key players in the effective operations of Government.

When Mr. Davis assumed office in 1971, he was operating from a base of over 25 years of Conservative majority rule in Ontario. During those years, or so it now seems in retrospect, members on both sides of the House had become somewhat conditioned by the circumstances and, while this may sound a bit harsh, the major circumstance seemed to be that might was right. The Opposition might "kick up its heels" from time to time, particularly if the Government tried, at the end of a session, to push through important legislation in a relatively short period of time. Despite such infrequent outbursts there is no question that the Government was, more or less, in complete charge. And, being in that position, there may have been a tendency to set the legislative agenda on a fairly arbitrary and *ad hoc* basis. Indeed, when I first came to the Premier's Office at the beginning of 1974, I heard more than once that Eric Winkler, then the Government House Leader, ran the House from "the back of an envelope".

The results of the 1975 election, of course, changed all that. If the benefits of opposition cooperation were not always evident in a majority situation, they were abundantly clear in a minority House. Now, planning became absolutely essential, as did consultation with the Opposition Parties on a continuous basis, and a sense of diplomacy became an essential characteristic of the Government House Leader. Thus enter first Robert Welch and, later, Thomas Wells—the men to whom, in sequence, the assignment was given for most of the next decade and two of the most diplomatic people within the government ranks.

Obviously, in a minority circumstance, the Government's approach and attitude toward the Legislature become extremely important, at least if the Government wants to continue to be the Government. For, in a minority situation, the fate of the Government is literally in the hands of the Legislature on a day-to-day basis. While it now seems to be clearly established that not every defeat on a legislative vote need bring a government down, it is clear that certain votes, whether they be on important legislation, required fiscal approvals, or formal votes of confidence, can do so. And, if there is any doubt, either the Government or the Opposition can make it clear that that is exactly what the vote is all about.

Under these circumstances, a government has to adjust its tactics considerably. Discipline tightens within both Cabinet and the government party caucus, since attendance at each session becomes an extremely important factor. And consideration of what the Government is going to put before the House requires careful scrutiny by Cabinet. Indeed, it became a common practice, during the period 1975 to 1981, to require ministers to demonstrate to their Cabinet colleagues that one of the Opposition Parties would support a bill (a necessary circumstance, if it were to be passed) before the minister was allowed to introduce it. And, as an extension of these restrictions, the Government need not even consider legislation it might wish to introduce if it knew, in advance, it would not receive opposition support. Further, even after a bill had been introduced, a minister had to give careful attention to each and every amendment proposed by the Opposition lest the Government's objectives be distorted or abrogated. Again, therefore, the art of juggling, negotiation, and diplomacy came to the fore. And out of it all came an approach which was retained, even after majority government returned in 1981, because the general benefits were perceived by all. That approach was called prior consultation. On the Government side, the Legislative Planning Committee, to which I have referred, would meet on a regular basis to review and schedule pending Government business. It eventually evolved to a point where certain days were designated for certain purposes, i.e., Mondays for the Estimates, Tuesdays for legislation, Thursdays for private members' bills, and so on. Further, attention was also given to what was taking place within the legislative committees that were at work .

When the Government had put together what it felt was an appropriate agenda, the Government House Leader would go forward for discussions with the House Leaders of the other two parties who would obviously have some of their own ideas about how things should be arranged. Through negotiation, appropriate arrangements would be put in place with everyone's agreement, at least in most instances. Obviously, there would be disruptions from time to time, as for example when one of the Opposition Parties would call for an emergency debate, thus altering the schedule, or when the Government felt that the opposition was being obstructionist and began to contemplate actions that would speed up the process. But, in

the main, the procedures worked well, chiefly because of the ability of the three House Leaders to work effectively together, and to understand and be willing to make allowances and adjustments for reasonable requests on the part of their counterparts. It's an excellent example, I suppose, of how a reasonable approach can be adopted even in the highly partisan context of the Legislative Assembly.

One other basic change that came to the Legislature during the Davis years was the development of arrangements that gave the Assembly a greater independence from Government in its own administration. The blueprint for such changes had been submitted in the reports of a special commission, composed of Dalton Camp, the Chairman, Farquhar Oliver, and Douglas Fisher prior to the 1975 election.[5] Their recommendations called for a separate administration for the Assembly and placed control of the administration and the financial requirements of the House under the jurisdiction of a Board of Internal Economy, with the Speaker as chairman and representatives of all three parties as members. And, though the Government named a majority of those members, it nonetheless gave all parties the opportunity to participate in those decisions that most directly affected them. Subsequently, steps were taken to place certain areas and operations of the Legislative Building itself, including the Legislative Library, under the jurisdiction of the Board.

No description of Assembly operations would be complete without giving some attention to the officers of the Legislature. The majority of these officials serve the administrative and operational needs of the Legislature itself and its committees. These would include, of course, the Clerk of the Legislature and his several Clerk Assistants, as well as the Director of Administration and his staff. But two officers of the Legislature deserve particular attention since their duties impact considerably on the general public and, at times, depending on what they have to say, upon the Premier and his Cabinet colleagues. I refer to the Provincial Auditor and the Ombudsman.

The Auditor's role in examining the Government's books is a familiar one and his annual report to the Legislature can be counted upon to generate some major news stories at the time it is released. Further, that report tends to become the basis of the agenda for the Public Accounts Committee of the Legislature, thus providing further opportunities for criticisms as to how the Government has been

managing the public purse. Adding fuel to the fire, in this regard, is the practice of recent years that ensures that the Chairman of the Public Accounts Committee is a member of the Opposition. As a result, the Chairman and his advisor, the Provincial Auditor, have much potential for giving the Government heartburn (as does any public report that suggests the Government has not been "minding the store" properly).

To be fair, the relationship at Queen's Park between the Provincial Auditor and the Government to date has been much more civilized than that which prevails in Ottawa, where the Auditor General and the Government have often seemed to engage in open warfare, including head-to-head litigation.[6] Nevertheless, the Provincial Auditor has become a much more potent force in the total scheme of things since the 1950s and 1960s. In those halcyon days, from the standpoint of the Government and the bureaucrats, he had engaged in "pre-audit"—that is, approval of expenditures before the fact—thus leaving him little to criticize afterwards. Now, as is well known, his comments come after the spending decisions are taken and not all of them, obviously, meet with his approval.

Further, during the Davis years, the Auditor's powers were expanded to allow comment not only on whether the monies were spent according to the rules, but also on whether the Government received "value for money". Indeed, it would be my observation that the Auditor's range of comments have tended to expand with each passing year and that the Government's sensitivities about those comments have tended to expand proportionally. There is even a view, to which I am inclined to subscribe more and more as time goes by, that the Auditor's gradual expansion of power runs the danger, at least, of impinging upon the actual prerogatives of both Government and the Legislature. That having been said, certainly it must be acknowledged that, in a system that requires checks and balances, the work of the Provincial Auditor is an important check. No minister, or his deputy, or any individual doing business with or for government, I assure you, wants to be cited in that report, since being singled out by the Auditor can bring instant fame of the kind most of us want to avoid.

Like the Provincial Auditor, the Ombudsman, who was initially put in place after the 1975 election, has considerable independence.[7] His role is to protect individual citizens against unfair treatment by

government, particularly the members of its bureaucracy. Thus, anyone who feels that he or she has been prejudiced in his or her relationship with the Government can go to the Ombudsman and ask for the matter to be reviewed. If the Ombudsman feels that the individual has a case, he will pursue it, initially with appropriate officials of the ministry involved, and move up the organizational ladder if he fails to achieve what he regards as appropriate results, until finally he may take his appeal all the way to the minister, and finally to the Premier if he feels that is necessary. The higher he moves the more likely the case is to become publicized and the more political judgment will be applied. Thus, I would suggest, the higher he goes, the greater the leverage the Ombudsman obtains in gaining his objectives. Whatever the reasons, the facts are that over the last decade or so, by far the majority of his cases have been settled in some adequate way through negotiations with the ministries and very, very rarely does a case escalate to a point where it requires the Premier's attention.

The first Ombudsman of Ontario, as most will recall, was Arthur Maloney, who came to the post from a distinguished and widely acclaimed legal career. As Ombudsman, I think it can now be said in retrospect, he established a more regal style than had been contemplated for the Office, and his actions combined with his ability to generate publicity, raised the profile of the Office to a high level in a short period of time. But, much as tongues might wag within Government circles in regard to the Maloney style, it soon became clear that the real issues were going to centre on where the Ombudsman's authority was supposed to start and stop. For, even though his terms of reference directed him to investigate "administrative decisions and acts of officials" and precluded him from questioning Government policy, it became clear that even that restriction was subject to interpretation.[8] Thus, for example, when the Government learned that Mr. Maloney was about to look into complaints about the separate school funding issues, it became necessary for the Government to make it clear that this was, indeed, a matter of policy and not the type of matter for which his Office had been established. He was not, after all, intended to be an "alternative government".

It also became clear that it was necessary to establish the fact that the Government would not always accept the Ombudsman's

rulings as the final word. I have already noted that, the higher the level of government that became involved in the Ombudsman's rulings, the greater the potential for publicity, and the greater the political sensitivity. After all, the Ombudsman fights for "the little guy" against the might of government and an open dispute between the Ombudsman and the Government holds all the ingredients on which the media thrive—and is unlikely to be one the Government will win.

Not surprisingly, therefore, it took a big issue to cause the first high-level confrontation. It came with the Ombudsman's call for additional compensation for a number of landowners whose properties had been expropriated by government for the proposed airport and related developments in the Pickering area. Those who settled early for compensation felt that, in the light of subsequent settlements, they had not been paid a fair price and that additional monies were due them. The Ombudsman agreed. But many millions of dollars were involved in his recommendation, giving the Government a particular form of motivation to stand by its position that it had treated everyone fairly in the original instance. The Ombudsman, for his part, utilized his rights to take the case to the highest levels of Government. In this case, however, he became engaged in battle with someone who had just as much resolve as he did. For John Rhodes, then Minister of Housing, dug in firmly and openly. In the end, as one might expect, a compromise was struck, with the appointment of a third party, Keith Hoillet, to arbitrate the dispute. The resulting settlement saw the Government pay out an additional two to three million dollars to 125 landowners.

I cite these matters not because of their importance in the overall scheme of things, but because of their significance to the process of "sorting things out" during the early years of the Ombudsman's presence. And with that "sorting out", as dramatic as it may have seemed at the time, a certain balance has been attained in regard to this important element of government operation. The lines of relative responsibility, I suggest, are now more clearly drawn and, although undoubtedly there will be differences from time to time, there is no question that the average citizen's rights to fair play, in his or her dealings with government, have been considerably enhanced by the Ombudsman's presence, and another check is in place which a

Government cannot ignore. Now, let me return to a discussion of the Legislature as a whole, where one or two further comments may be appropriate.

While the major responsibility for steering Government business successfully though the Legislature rests on the Government House Leader, there is a lot of direct discussion between the House Leader and the Premier, both within the context of Cabinet and on an individual basis. Such discussions would relate, in the main, to what the agenda was to be and what tactics were to be employed to see it through successfully. As for the Premier's major responsibilities in the Legislature, these were not so much tactical as they were of a leadership nature. For, as the drama is played out on a day-to-day basis, a good deal of what goes into an assessment of "how well the Government is doing", is dependent on the performance of the Premier, particularly during Question Period. A leader who can take charge, respond to questions—however difficult—in a confident, knowledgeable fashion, and be perceived, on a consistent basis, as the winner of the daily exchanges, gives both heart to his legislative forces, which is so important for both party morale and discipline, and reinforces the notion, through the media to the general public, that he and his Government are in charge.

I think that the case could be made that William G. Davis, particularly from 1975 on, became very comfortable in the legislative forum and very effective in handling his role. Although there certainly were many comments about his ability to obfuscate and to engage in long and rambling responses, he seemed to develop a feel for when to be tough and when to be lighthearted and seldom did he come away second-best in exchanges. And it seemed to me that, in the latter years, unless they thought they had a particularly good issue, the Opposition Leaders tended to "ignore" the Premier in favour of focusing their attention on other members of the Cabinet with whom they felt they would fare better. This, let me emphasize, was not a result for which his staff could take any great credit. While it was our duty to make sure he was properly briefed on the issues, his techniques of debate were something he developed all on his own.

Let me conclude this discussion of the Legislature with one comment. Of necessity it will be brief because it touches on an area with which I had no real direct involvement and, therefore, developed

mainly second-hand knowledge—that is the relationship between the Premier and the government caucus. This is a particularly important group to any First Minister, not only because of the advice and comments they bring from the grass roots, but because their support is obviously essential to carry the Government's program in the Legislature. To maintain effective control in the Legislature, the Government must maintain effective control over its own group of members. The common perception seems to be that this is something that governments take for granted and that the role of a government backbencher is simply to support whatever measure the Government brings forward, come hell or high water. Now there can be no doubt that a lot is expected from the members of the government caucus. But this does not come about without a considerable amount of planning and effort. Thus, every Tuesday morning, when the House was in session, the government caucus would meet to discuss issues of concern and to hear proposals, legislative or otherwise, from ministers before they would go forward into the House. As in most family situations, while caucus members would be supportive, within reason, on most occasions, there were always times when, individually or collectively, they could and would question what was being proposed, perhaps even oppose it.

If it were thought important to proceed, despite whatever resistance there might be, the weight and reason of the Premier would have to be brought to bear, although, on occasion, even his direct intervention did not automatically succeed. These are situations in which the power of the office, the strength of leadership, and the degree of confidence that the members have in their leader, comes to the fore. They know, of course, of his ultimate authority; if they have ambitions for Cabinet rank, their fate lies in his hands. They also know that he is the individual on whom they will have to rely, more than anyone during the next electoral test. If the necessary confidence is there, whatever the pros and cons of the issue, they will support him in the end. On the other hand, to maintain that ultimate respect and support, it was clearly necessary for the Premier to have developed strong rapport, to listen to what the members had to say, and to acknowledge and consider the reasonable criticisms and proposals that they brought to the fore.

* * *

What I have styled in this lecture my "view from inside looking out" now takes me beyond the immediate environment with which Legislature and caucus surround Cabinet and the Premier to the overall Ontario setting as generated by so-called special or vested interests, public opinion, and the media.

Governments, as I have said more than once, exist to serve and protect the public interest. Within a province the size of Ontario, that public is made up of a range of individuals, groups, and organizations whose needs and interests cover the spectrum and inevitably tend to conflict. Ontario is hardly homogeneous. Since this frequently leaves the Government to decide which particular interests should be considered in discerning the overall good of the Province, it has become fairly well understood that if you want to have your particular interests advanced, or even if you just want to hold your own, you should attempt to get yourself organized and try to help Government in reaching its decisions. Those who do so, and find ways of bringing their point of view to the attention of Government, represent the vested interests to whom I refer.

These appear countless in number and, during the years in which I was involved with Government, they became not only more numerous but better organized and more skillful at the game. Their activities take up a great portion of the time of the Premier and his Cabinet colleagues, individually and collectively, of senior civil servants and, I dare say, of members of the Opposition as well. If you were to look at the diary of the Premier or a minister or of someone within the senior bureaucracy, you would find a considerable portion of any given working day is devoted to meeting with people, both as individuals and as representatives of groups, both large and small, who want to discuss their problems, their ideas, their proposals. Sometimes, as we know, special interest groups may arrive in very large and noisy numbers, without an appointment, on the front steps of the Legislative Building. Most often, they come in smaller numbers to represent themselves directly. Increasingly, interest groups retain advisors who are supposedly not only knowledgeable about the specific issues to be discussed, but have a sense of how government operates, how politicians and bureaucrats think, how to make changes politically acceptable, and so on. Indeed, the development of interest group consultants, along with the growing involvement of many legal

firms in this area of activity, must surely constitute one of the biggest growth industries not only in Ontario but throughout Canada.

The practice of vested interest activity in Ottawa has reached the point that a bill has been proposed which would require those retained for these purposes of representation—generally known as lobbyists—to be registered so that all the world will be aware of the interests that they represent.[9] Proposals of this type, of course, suggest that vested or special interests generate some difficulties, at least potentially, for the democratic process. Indeed, the term "vested interests" implies some of that and it is easy enough to conjure up images of forces so dedicated to their own goals that the public interest becomes secondary. And, without question, such possibilities exist in abundance and cannot be ignored. Of two things I am certain. First, a government cannot come close to satisfying all interest groups because their views are so often in conflict. Second, a public treasury big enough to meet their combined demands for funding will never exist.

But I should also acknowledge that, in covering the spectrum of issues and causes, many groups represent points of view that are arguably in line with the public interest. In many cases, special interest organizations form the major "client groups" with whom a ministry, if not the Government as a whole, must deal on a regular basis. Within the Ministry of Education, for example, officials spend countless hours dealing with school boards and school board officials, individually and collectively, with trustee organizations, and the various branches of the Teachers Federation, all of whom in one way or another represent special interests in the field of education. In many instances, these groups can be of considerable assistance to the Government because of the particular knowledge and insight which they possess, and their reaction to contemplated policies and programs can be invaluable in assessing their appropriateness. After all, it is usually better for government to understand potential reactions before the fact than to be left to deal with them after a policy commitment has been made.[10]

Thus it is incumbent upon a minister, and certainly upon the senior civil servants who advise and assist that minister, to deal with such groups effectively. Indeed, in some instances, the success of a minister and his or her officials is judged by how well they relate to their clients and on the attitudes that those client groups, in turn,

display toward them. To return once again to the Ministry of Education, as my example, it is certainly thought to reflect well upon the Government to have the trustees and teachers talking in warm and friendly terms about the Ministry and its policies.

A particularly telling example of how relationships with special interests can become a positive force from the government's and, hopefully, the public's perception, were those that Premier Davis and the Ministry of Labour developed with organized labour in Ontario during his tenure. There is, of course, no natural alliance between organized labour and a Progressive Conservative Government. In fact, differences and difficulties are to be expected not only because of perceived philosophical differences, but because of organized labour's direct involvement with the New Democratic Party.

Consistent with the Davis style, however, it was felt important that some type of accommodation be found. That objective was considerably enhanced with the appointment of Tim Armstrong as Deputy Minister of Labour in 1975 since Mr. Armstrong, on the basis of his practice as a labour lawyer, had close personal contacts with the leadership of organized labour. It was further enhanced when Dr. Robert Elgie became Minister of Labour, since he brought with him ideas and attitudes that allowed labour representatives to feel they were receiving a fair and balanced hearing on their issues. Going even beyond this, the Premier himself made it a point to stay in regular contact with the leaders of the labour movement in Ontario, particularly such figures as Cliff Pilkey, President of The Ontario Federation of Labour, Bob White, President of what is now the Canadian Auto Workers, and Sean O'Flynn, President of the Ontario Public Service Employee's Union.

The result was that, through a constant dialogue and exchange of views, serious difficulties were avoided despite such pressures as those caused by wage restraint policies, introduced twice within a decade. Moreover, relatively progressive amendments were introduced to Ontario's labour laws without disrupting the expansion of the Province's economy. This, I might add, was in sharp contrast with the relationships that the Federal Government were able to maintain over the same period of time and which saw organized labour withdraw its representatives from direct involvement with federal agencies and advisory bodies for a lengthy period of time.

The obvious problem arising from the overall situation of dealing with special interests is that, with so many of them being pushed aggressively, there is a need to ensure that the general public's interest is being maintained. The answer, as far as I can see, comes from a number of circumstances. First and foremost we have to rely on the integrity, good judgment, and political sensitivities of our elected officials and civil servants, reinforced by the give and take of public debate which often arises in regard to the matters at hand. And, in the end, despite the number and complexity of issues that are in the public domain, there is the prominent likelihood that the electorate, aided and abetted by the media, will judge a government as to how well it has protected the public interest. This is a strong motivating force in dealing with any and all special appeals. It also offers, I suggest, a good argument for why Government should be using all the practical ways and means available to it, in an attempt to understand what the general public thinks and believes.

Ultimate accountability to the electorate should never be underestimated in terms of its effectiveness in encouraging those in government to make balanced decisions. There may have been a day and age when those in government could reach a decision based on the assumption that few, if any, would ever know or care. Even now, this suggestion may surface from time to time. But I assure you that it provides a shaky premise, at best, and not one on which to base any major decision. In my experience, just the opposite prevailed. The basic understanding which Premier Davis constantly stressed among those who worked with him was that they should assume that any decision which was made would be of front-page interest and that they, therefore, should be prepared to defend it on its merits. If they were not so prepared, then the decision should not be taken.

If the ultimate test of how successful government has been in caring for the public interest is its electoral success, it is essential for it to remain in tune with the public that it is serving. To keep in tune, it is absolutely essential to keep in touch. Over the years, governments have used a number of techniques to feel the public pulse. They have relied upon members of the government caucus to talk and listen to their constituents and to report back on how they feel on any number of issues. The general party machinery is supposed to contribute to this same end. In addition, of course, there have always been any

number of unsolicited comments to guide governments in their actions, the best known of which, I suppose, would be the editorial writings that appear in the daily press. Increasingly, however, governments have learned—and in this regard I think that they were probably a jump ahead of the business community, perhaps even ahead of the media—that there are more comprehensive and scientific ways of finding out how the public feels, not only about the performance of government in general, but about particular programs or issues.

Today the use of public opinion polls is so widespread, and reports on them in the media are so extensive, that there is no lack of general insight as to how well a government is perceived to be doing or how the public supposedly feels about almost any issue, large or small. But this is a recent development in that it only emerged during the years that Mr. Davis held power. I am told (I was not in or around the Premier's Office at the time) that public opinion polling and the strategies that were developed from the information it yielded, were given much credit for the election results of 1971 which gave Mr. Davis and the Party he newly led such a large majority. It should not be surprising, therefore, that it was felt that the polling of voter preferences should continue in the run up to the next election. In this regard, there was never any suggestion that polls related to voter preference, which were clearly political in nature, should be anything other than the responsibility of the Party.

What then developed, beginning in the mid-1970s, was the perception that polls could assist government, as such, by yielding insights into the public's views on policies and programs. Such insights could become an important factor in determining either the policies which government might adopt or the strategies that might be necessary to make those policies effective. On this basis, it was argued that public opinion polling was a legitimate concern of government, and that the associated expenditures constituted a legitimate charge on the public treasury.

I may have misread the critical comment on these matters, but it seems to me that while accusations were made that polls were used too extensively, that the government relied too heavily on polls in formulating its policies, and that any government that did so was not displaying the proper leadership, the government's right to use such devices was not at issue. Government did not hesitate to acknowledge,

chiefly through responses in the Legislature to questions placed on the order paper, what specific polls had been funded and at what cost to the public treasury. What emerged as the real issue, and one which became the subject of considerable public debate, both inside and outside the Legislature, related to who should have access to the results of those polls. Since the Government chose not to share the results with the Legislature or the public, it obviously regarded them as confidential government material. The Opposition and the media took the position that what was paid for by the public purse belonged to the public.

Not surprisingly, the debate was particularly heated because it emerged during the period of minority government when the Opposition had effective control of the Legislature and its committees and, therefore, was able to assert itself from this position of strength. On one occasion, in the midst of this debate, I was summoned to appear before the Public Accounts Committee and asked to justify the use of public monies by Cabinet Office for a poll that we had undertaken early in the previous year in regard to public attitudes on a range of policies. I argued that the results of these polls should be treated as confidential Cabinet documents like so many of the other materials that were presented to Cabinet. In any event, I was unsuccessful in persuading opposition Members and they voted immediately to seek a Speaker's warrant in order to get their hands on the results of all the polls conducted by the Government in the previous year, which had been identified at an earlier date on the Order Paper. At that time, in what I recall was a unique occasion, all of the documents were released on a collective basis. The result was, as might be expected, great media interest in the initial instance. But there were no significant long-term ramifications—not only were the contents by that time somewhat dated, but the material made it clear that the polls which had been authorized had been directed to legitimate areas of government responsibility and concern.

In my opinion, while the questions of who should have access to publicly funded polling results may continue to be the subject of debate, I think that almost all governments in the future will continue employing the technique to gain insights into the areas which they regard as important. Indeed, it would be foolish and short-sighted if they did not attempt to do so. Polls do not and will never offer the full

answer to what a government should do because public opinion at any given moment is only one element to be considered in arriving at decisions as to what needs to be done.

Furthermore, as we have discovered, public opinion is volatile and can change rapidly as people think more seriously about issues or as public debate exposes various pros and cons on any given type of subject matter. Thus, as in so many other elements of decision-making, the problem lies not in the device but rather in understanding what its strengths and limitations happen to be and employing it in the context of the other means that are conducive to arriving at the best possible decisions. And one of the major strengths of polling, I repeat, is that it can be a very important element in balancing the special interests that have so many direct ways of presenting their point of view.

That brings me to the media and some might suggest it completely appropriate that I should conclude my view from the inside by looking out at those who, in the end, get the final word on the operation of government, in any event. Let me start with the assertion that it would be almost impossible to over-emphasize the influence that the media have on the operation of government. As I heard one senior member of Premier Peterson's staff say recently: "We live and die by the media." And those piles of *Globe and Mail*s and *Toronto Sun*s that you see at the east door of the Legislative Building every weekday morning, waiting to be delivered to government offices, are not there because the inhabitants are interested in casual reading.

The reasons for the importance of the media are readily apparent. Government's first and foremost goal, as I have already suggested, is to get elected and re-elected. For that goal to be attained, the electorate must be aware of the government's good works, its accomplishments, its proposals, and its plans for the present and the future. Conversely, opposition politicians want the public to know of all of the government's inadequacies and failures in these same areas. While a few people in our society may learn of government activity because they have direct contact with their elected member or others who might be involved, the vast majority must depend on what they hear and see and read in the media. The media, therefore, constitute the primary line of communication between government and those who elect it.

To say that most governments find them an inadequate and unreliable means of communications would be an understatement. Indeed, I think there is ample evidence to bear out the contention that the relationships between government and the media, at all levels, is a somewhat uncomfortable one, at best, throughout the Western world. Members of the media would probably argue that this is how it should be. On the government side, it doesn't take much effort for politicians and bureaucrats alike to become quite paranoid about those who report to the public on their work. And, of course, the paranoia grows if you or your ministry or office become the subject matter of what you believe is an unfair or unbalanced report, which is often the case.

It is not uncommon, therefore, to hear suggestions, among those on the government side, that the reason there is so much critical comment from the media is because those who represent the newspapers, radio, and television outlets are, in one way or another, hostile to the political views of the party in power. While that type of belief may itself reflect paranoia, it would be naive, on the other hand, to believe that media reporters and commentators are politically neutral. Most of them possess all the well-formed attitudes and biases that nearly all of us bring to the judgment we make on any given issue.

My own assessment of the relationship leads me to believe that the problems and tensions, that are so common, arise primarily from the fact that government on the one hand, and the media on the other, are working from a quite different set of premises. In general, the government wants the electorate to believe that matters are in hand, that government machinery is operating efficiently and effectively, that it knows where it is going and what it is doing, and that everyone should feel generally comfortable and assured as to how well the Province is being administered. But reporting those kinds of situations and results would hardly constitute news in the minds of most media representatives. Indeed, they thrive on just the opposite kind of circumstances.

Scepticism and cynicism are the major badges of office for members of the media. They are anxious to tell the world not about the successes but about the mistakes of government, the promises and commitments that are unfulfilled, the controversy and disagreements that exist both within the government itself and between the government and outside organizations. The most important stories are about

trouble; they concern issues the government would just as soon not talk about or matters that are based on documents or correspondence which the government hold to be confidential. Further, when government chooses to avoid offering an explanation for a certain situation or event, the media thrive on revealing the so-called "true story".

The government employs dozens of individuals to crank out thousands of pages of press releases and statements. This actually is all based on the clear understanding, as I have indicated, that its main line of communication with the population is through the media. But, despite this government effort, seldom would a reporter who regarded himself or herself to be worth anything, take such releases and simply report them verbatim. No. Such material must be subject to cross-examination because government, for its part, is probably trying to manage the news and that should not be allowed to happen. As a result, or so it seems, what the government intended to be good news often appears, in the government's eyes at least, to be reported as something less than that. That is why, almost inevitably in the course of every administration, the cry is heard that government must take its own case directly to the people.

In my own involvement with the Government I was, of course, not immune from being caught up in this rather contentious relationship. Yet I must confess that, in all the years that I served under or close to the edge of the spotlight, I cannot say that I was ever treated particularly badly by the multitude of people who served in the Queen's Park Press Gallery. That is not to suggest that I did not have days when I was as upset or angry as anyone could be as to the way in which certain areas of government operations were reported. Indeed, I must confess that one of the thoughts that I harboured when I left the Government was that I might write a book about government-media relationships with the basic idea of revealing that not all the shortcomings and inadequacies were on the government side. However, now that I have had an opportunity to stand back a bit, I have come to appreciate the absolute futility of such an exercise.

But maybe someone should write that book. The media, after all, are not particularly noted for self-criticism. One columnist, from time to time, may take a "shot" at another but if anyone outside the profession, such as an angry politician, levels a criticism, media representatives are quick to rally round. "Don't shoot the messenger" is the

familiar cry when such attacks are made: "We only report the news, we don't make it." Of course this ignores the fact that reporting can be a subjective exercise and that the way the news is presented has considerable influence on what people understand and what they ultimately believe.

And in this regard we should not forget that newspapers, radio, and television are not public service institutions, nor is the public interest necessarily their chief concern. They are businesses whose basic objective is to succeed in the same way any other businesses are judged to succeed—at the bottom line. Contributing to good results are the size of the audiences they attract; thus circulation figures and audience ratings become very important considerations. And concern about those results, unfortunately, often influences the way the news is presented. These are circumstances of the real world. Government officials, elected and appointed, can waste a lot of time wishing they were otherwise, but there is little likelihood of the situation changing.

Learning the futility of taking on the media, and thinking you can change them or beat them, is a lesson one learns the hard way. That certainly was the case for me. One of the constant struggles that went on between the Premier's Office and the Press Gallery centred on our attempts to keep certain matters confidential until, at least, the Government was ready to make its own announcements. Consistent with my earlier remarks, members of the Gallery sought just the opposite result. They wanted to report the story before the event, no doubt to demonstrate how dogged and determined they could be. The most pronounced and constant example of this challenge, to both sides, was in regard to changes in Cabinet. Inevitably, so it seemed, the world would be told in advance of the swearing-in ceremonies at which the results of change were supposed to be announced, who was being assigned to what portfolio.

Convinced that we could avoid such circumstances, the Premier's Office began to use evasive tactics. Since it seemed obvious that, when such an exercise was under way, Gallery members could observe members of Cabinet, old or new, parading into the Premier's Queen's Park office, and begin to draw their conclusions, we decided to switch the venue of such meetings—to the Premier's suite at the Park Plaza, to the Premier's home in Brampton. It made no difference. In the latter case, some time after the process was under way, we found a

Globe and Mail reporter parked in the next-door neighbour's driveway observing the comings and goings. So, despite my declared vow that we would win at this little game, a vow shared gleefully with the Gallery by our then press secretary, Sally Barnes—which only spurred them on—we never were able to claim victory and I had to leave Queen's Park a beaten man.

The criticism, as well as fun and games, aside, there can surely be no question that the media play an absolutely essential role in the democratic process—not only in reporting events but in pointing to the various inadequacies that are latent in government policies, programs, and activities. Further, there can be no doubt that nearly everyone in government, politicians, and senior bureaucrats in particular, think and worry about the merits and the propriety of their thoughts and actions far more closely and carefully because the media are at hand. The media may not always be fair or they may not always be balanced. I would even be so bold as to suggest that, at times, because they work in such close contact, something of the herd instinct creeps into a group like the Legislative Press Gallery in the way it handles its responsibilities. That, to my way of thinking, explains why so often a particular slant or interpretation on a given set of events will be similar, if not identical, from one media source to another.

But, adhering to the same pragmatic point of view that was practiced when I was part of the government operation, I believe I have come to accept the facts as they are, to understand that there are imperfections on both sides and that, since the overall situation cannot be changed, ways must be found of living with it. That is what the most effective of our political leaders and bureaucrats tend to do. This explains why, within reason, and with all the restraints and restrictions that are built into the overall situation, I believe we are beginning to see modern-day politicians approach the media with a greater degree of openness. Further, governments have come to understand that there is benefit to an arrangement by which those in the civil service are available to provide important background to major policy and program announcements. There may not be a rush in this direction, but I believe that it is there. Certainly there is no doubt in my mind that politicians who can manage more open and straightforward relations with the media in the future will be more successful in winning public confidence and therefore ensuring their own success.

Having said that, I should acknowledge that a poll among the individuals who served in the Press Gallery during the Davis years would win William Davis few if any votes for the more open style or approach which I have advocated. Indeed, his reputation now, and I suspect in the future, will be of a leader who took just the opposite tack: long answers but limited information. But there is one lesson in the media relations that Mr. Davis practiced from which most of us could learn. For no matter how aggressive or provoking the media representatives might be (and believe me if you've never had any personal experience you may not understand how aggressive and provoking they can be), he seldom lost his composure, and seldom became openly angry or upset. Also, he seldom went out of his way to avoid them, although that would be virtually impossible to do in any event. So, despite the circumstances that seem to make frictions between the government and the media inevitable, there is ample evidence that the most effective of our political leaders not only learn to live with a press gallery, but to advance their own images and causes as well and to do it in their own way.

On that note, I bring these lectures to a close. In presenting them I have tried to deal with Cabinet organization and with the development of the process that was found to work best during the Davis years, with the operations whereby the Premier and his Office met the various responsibilities that came his way, and with the more important elements of the total milieu within which a First Minister and his Government must operate. Mine has not been an objective presentation; this was precluded by the considerable involvement I had in many of the matters which I have brought forward. Neither can I claim that my presentation has been totally comprehensive since I am sure there are aspects of government, important in their own right, that I have neglected. In the end, what I have attempted is simply to portray Cabinet Government in Ontario as I viewed it from inside.

Notes

I. Serving the Decision-making Needs of Cabinet

1. Richard H.S. Crossman, *The Myths of Cabinet Government*, (Cambridge, Massachusetts: Harvard University Press, 1972).

2. Richard H.S. Crossman, *The Diaries of a Cabinet Minister*, (London: Hamish Hamilton, 1975).

3. See for example, Rosemary Speirs, *Out of the Blue*, (Toronto: Macmillan of Canada, 1986); Claire Hoy, *Bill Davis*, (Toronto: Methuen, 1985); A.K. McDougall, *John Robarts: His Life and Government*, (Toronto: University of Toronto Press, 1986).

4. One only has to look to the situation that prevailed in Ottawa during the initial years of the Mulroney Administration, I suggest, to see how great the challenge implied by these questions can be. Take, for example, the observations from a column by Stevie Cameron in the *Globe and Mail*, (January 29, 1987):

> Today people are treading water. Because many ministers are preoccupied with damage control, policies, and programs are taking second place. Public servants are reluctant to suggest innova-

> tive ideas or to stick their necks out on issues. What makes it so much worse now than it should be is that relations between the senior public service and the Mulroney Government have been putrid from the start . . . "Our biggest failure of policy, has been our failure with the public service," says one chief of staff to a respected and popular minister. It is hard to find a deputy minister or assistant deputy minister who disagrees . . . "The biggest problem we have," said one, "is the basic distrust the senior politicians have for the bureaucracy. The bureaucracy has tried bloody hard to produce what the Government thinks it wants. No one minds the confusion. They do mind the distrust."

5. Richard H.S. Crossman, *The Myths of Cabinet Government*, p. 32.

6. For a historical account of the composition of Ontario Cabinets in the past, see Fred Schindler, *Responsible Government in Ontario*, (Toronto: University of Toronto Press, 1969), Ch. 3.

7. I am indebted to David Lewis, former Associate Secretary to Cabinet and Deputy Clerk of the Executive Council, for the material in this section. For further background, see Schindler, *Responsible Government in Ontario*, pp. 42-49.

8. The other private sector members were Charles Hay, Director Gulf Oil and President of Hockey Canada; Gerald R. Heffernan, President and General Manager, Lake Ontario Steel Company; Alfred Powis, President, Noranda Mines; Ray D. Wolfe, President, Oshawa Wholesale Limited. The Government Members of the COGP were G.H.U. Bayly, Deputy Minister, Department of Lands and Forests; C.E. Brannan, Secretary to the Treasury Board; A.R. Dick, Deputy Minister of Justice and Deputy Attorney-General. H.I. Macdonald, Deputy Treasurer and Deputy Minister of Economics; and Dr. J.K. Reynolds, Secretary to the Cabinet and Deputy Minister to the Prime Minister.

9. The first interim report of the COGP was published in December 1970.

10. Legislative Assembly of Ontario, *Debates*, February 28, 1968, p. 302.

11. Committee on Government Productivity, *Interim Report Number Three*, (Toronto: Queen's Printer for Ontario, 1971), p. 8.

12. Committee on Government Productivity, *Interim Report Number One*, (Toronto: Queen's Printer for Ontario, 1970), p. 22.

13. For the details of this "shuffle" see Legislative Assembly of Ontario, *Debates*, April 15, 1971, pp. 432-433.

14. Committee on Government Productivity, *Interim Report Number Two*, (Toronto: Queen's Printer fo. Ontario, 1971), p. 7.

15. COGP *Interim Report Number Three*, p. 1.

16. On the reorganization of Cabinet outlined in the COGP reports, see George Szablowski, "Policy-Making and Cabinet: Recent Organizational Engineering at Queen's Park," in Donald C. MacDonald, ed., *The Government and Politics of Ontario*. 1st Edition, (Toronto: Macmillan of Canada, 1975); Kenneth Bryden, "Executive and Legislature in Ontario: A Case Study of Reform," *Canadian Public Administration*, 18 (Summer, 1975); James Fleck, "Restructuring the Ontario Government," *Canadian Public Administration*, 16 (Spring, 1973); James Simeon, "Policy-Making in the Cabinet," in Donald C. MacDonald, ed., *The Government and Politics of Ontario*, 2nd Edition, (Toronto: Van Nostrand Reinhold Ltd., 1980). Successive interim reports were focused on such topics as Automatic Data Processing (#5); Utilization of Human Resources (#6); Communications and Information Services (#7); Real Property Management (#8) . The COGP also created *Task Force Hydro*, "to review the function, structure, operation, financing, and objectives of the Hydro-Electric Power Commission of Ontario." *Task Force Hydro* produced five reports in the style of the main COGP study. For a summary of its recommendations, see *Report Number Five: Hydro in Ontario. A Policy of Make or Buy*, (Toronto: Queen's Printer for Ontario, 1973), pp. 41-53.

17. See *Interim Report Number Three*.

18. *Ibid.*

19. COGP *Interim Report Number Two*, p. 9.

20. *Ibid.*

21. See *Interim Report Number Three*. pp. 27-30; for background on the development of "TEIGA" see H.I. Macdonald, "The Solemnization of an Institutional Marriage," *Ontario Economic Review*, 7 (March, 1969). For details on the new ministry see Ontario Ministry of Treasury, Economics and Intergovernmental Affairs, "Government Reorganization and Treasury, Economics and Intergovernment Affairs," *Ontario Economic Review*, 11 (March/April, 1973). On the implementation of regional government see Henry J. Jacek, "Central Governmental Planning *versus* Conflicting Local Elites: Regional Government in Hamilton-Wentworth," in Donald C. Macdonald, ed., *The Government and Politics of Ontario, 1st Edition*.

22. This was overseen and brought to fruition by the Implementation Team headed by Mr. T.M. Eberlee. For an overview of these changes see Committee on Government Productivity, *Report Number Ten: A Summary*, (Toronto: Queen's Printer for Ontario, 1973), p. 67.

23. COGP *Interim Report Number Three*, p. 16.

24. *Ibid.*

25 *Ibid* p. 15. For a perspective of one of the architects of the COGP structure, see James Fleck, "Restructuring the Ontario Government," cited above, note 16.

26. See, for example, Jonathan Manthorpe, "Premier names four deputies to serve under newly created superministers," *Globe and Mail*, December 7, 1971; Jonathan Manthorpe and John Zaritsky, "Four candidates defeated in the Ontario leadership race appointed superministers," *Globe and Mail*, January 6, 1972.

27. COGP *Interim Report Number Three*, p. 16.

28. *Ibid* p. 44.

29. *Ibid* p. 45.

30. *Ibid* p. 12.

31. Legislative Assembly of Ontario, *Debates*, March 28, 1972, p. 671; see also Jonathan Manthorpe, *The Power and the Tories*. (Toronto: Macmillan of Canada, 1974), pp. 220-221; J.R. Mallory, "Restructuring the Government of Ontario: A Comment,"

Canadian Public Administration, 16 (Spring, 1973). For discussion of the British experiment with so-called "superministers", see Herbert Morrison, *Government and Parliament, 3rd Edition*, (London: Oxford University Press, 1964). As the article by James Fleck indicates, the COGP analysts were certainly aware of the British "superminister" concept.

32. I was asked, during the question period at the end of the first lecture, if the decision to name three of his leadership rivals as Provincial Secretaries was not a deliberate attempt on the part of William Davis to move these men a step closer to oblivion. My answer was No because I believe the Premier, as well as almost everyone else including the media, believed the theory as proposed by COGP that these were very senior posts through which a minister would have considerable influence on overall government policy and operation. Only the benefit of hindsight gives us a different perspective of what their assignments were to be. To substantiate this view, I recalled being called to Robert Welch's office (since he was Minister of Education at the time and I was Deputy Minister of Education) directly after he had his meeting with the Premier at which he had been offered the post of Provincial Secretary for Social Development. Professing sadness at having to leave the Ministry of Education he said: "It's simply an opportunity that I cannot refuse." He believed it was a rare opportunity, so did I; so, I believe, did the Premier. There were, I assert, no ulterior motives.

33. For the perspective of a senior adviser to the Davis Government, see Hugh Segal, "The Evolving Ontario Cabinet: Shaping the Structure to Suit the Times," in Donald C. MacDonald, ed., *The Government and Politics of Ontario, 3rd Edition*, (Toronto: Nelson, 1985).

II. Serving the First Minister

1. Richard H.S. Crossman, *The Myths of Cabinet Government*, introduction, P. vii.

2. *Ibid* p. ix.

3. My recollection is that the Premier first used this assertion in responding to a comment in the House. In any event, wherever the words were initially uttered, they were repeated many times.

4. This comment was attributed to Paul Martin, in my hearing, by Dr. J. Francis Leddy, then President of the University of Windsor.

5. No discussion about the organization of the Premier's Office during the Davis years would be complete without reference to Clare Westcott, subsequently Chairman of the Metropolitan Police Commission. Any attempt, on my part, to outline his role within the Davis Administration will surely be inadequate. My simple excuse for that is that his role defied description.

   Mr. Westcott became William Davis' executive assistant early in Mr. Davis' tenure as Minister of Education and, despite the enlarged role that he subsequently undertook in the Premier's Office (for which he attained the rank and status of deputy minister), he always retained that title as part of his official designation.

   While a job description would show that he was in charge of all correspondence and various other areas of liaison, he was much more than that. Indeed, if in my brief description of the functions within the office I have left out any area that would seem to require attention, it should be assumed that Clare Westcott looked after it. No problem was either too large or too small for him to tackle and his array of contacts both within and without the government was second to none.

   In the end, I suspect, if I may adopt football jargon, Mr. Westcott was the "free safety" of the Premier's team. He covered the multitude of problems and issues that others could not handle and he did it with considerable skill. If you were required to identify who, among staff, was closest to the Premier, Clare

Westcott would be that person and his advice was sought and listened to on practically every issue that mattered.

6. Cabinet Office. *Briefing Book for a Change of Government Volume II*, June, 1985.

7. One might take, for example, the following comments from a relatively recent article by Robert Collison, that appeared in the magazine *Toronto* (September, 1986 p. 55):

> For years, the cognoscenti around Queen's Park openly speculated that it was Ed Stewart—not Bill Davis—who was actually running Ontario. "Davis was perceived to be a passive guy . . . And Stewart was seen as the one player who had the tabs on all the ministers and deputies. He was the one guy who knew every bloody thing that was going on in that government." All power flowed to Stewart, and through him to Bill Davis. And the basis of Stewart's power was that he—and he alone—controlled access to Premier Davis.

Lest, to any of you, that might seem exaggerated if not overly flattering, consider what follows:

> While they were in Opposition, the Liberals frequently criticized the propriety of a bureaucrat, unelected and unaccountable to the people, holding such vast powers. And they believed that Stewart's role explained why the Tories had become so lethargic. No longer were the politicians setting the public agenda. Instead, the bureaucrats—cautious, reactive, more comfortable implementing policy than inaugurating it—were calling the shots.

In another setting, I would probably choose different language to offer my opinion as to the accuracy of this account. In this setting it suffices for me to say that I like the description in the briefing book better.

8. *The Toronto Star*, November 20, 1986.

9. Claire Hoy, *Bill Davis*, p. 173.

10. *Ibid* pp. 190-208.

11. *Ibid* p. 171.

12. On the Saskatchewan experience see Hans J. Michelmann and Jeffery S. Steeves, "The Transition in Power in Saskatchewan: The Progressive Conservatives and the Public Service," *Canadian Public Administration*, 28 (Spring, 1985).

13. For a general overview, see David Zussman, "Walking the Tightrope: The Mulroney Government and the Public Service," in *How Ottawa Spends 1986-87: Tracking the Tories*, Michael J. Prince, ed., (Toronto: Methuen, 1986).

14. See Manthorpe, *The Power and The Tories*, for one account of these associations.

15. See Hugh Segal, "The Evolving Ontario Cabinet: Shaping the Structure to Suit the Times," in Donald C. MacDonald, ed., *The Government and Politics of Ontario, 3rd Edition*, pp. 71-72.

III. The Legislative and Political Environment of Cabinet

1. Richard H.S. Crossman, *The Myths of Cabinet Government*, p. 18.

2. *Ibid* p. 29.

3. That the consideration of government business can be brought to a virtual standstill by the Opposition was well demonstrated by the protracted bell-ringing episodes of the 1980s at both Ottawa and Queen's Park. The word "bellabuster" has been used to describe these episodes. They have been triggered when opposition party members have refused to enter the House for a vote. Speakers have ruled that opposition party Whips must signify that their parties are ready to proceed before a vote can be called. Although rule changes made in Ottawa in 1985 reduced the maximum delay that can be occasioned to one day, no such

restriction has been adopted at Queen's Park. There, "bella-busters" remain an ever-present possibility, as illustrated in the Spring of 1988.

4. Crossman, *op cit*, p. 50.

5. For further information on the reform of the Legislature see Donald C. MacDonald, "Modernizing the Legislature," in Donald C. MacDonald, ed., *The Government and Politics of Ontario, 3rd Edition*; Graham White, "Teaching the Mongrel Dog New Tricks: Sources and Directions of Reform in the Ontario Legislature," *Journal of Canada Studies*, 14(Summer, 1979) and; Graham White, "The Life and Times of the Camp Commission," *Canadian Journal of Political Science*, 13(June, 1980).

6. For an analysis that includes comparisons of the statutes governing the Auditors of Canada and Ontario, see Sharon Sutherland, "The Politics of Audit: The Federal Office of the Auditor-General in Comparative Perspective," *Canadian Public Administration*, 29(Spring, 1986) and R.A. Denham, "New Public Sector Audit Legislation in Canada," *Canadian Public Policy*, 4(Autumn, 1978).

7. It should be noted that the *Ombudsman Act* was passed prior to the 1975 election when the government still had a majority.

8. From time to time the Ombudsman would request a copy of the Cabinet Minute to verify that the matter in question was indeed a question of government policy.

9. This bill became law in September 1988.

10. For an overview of interest group activity at the provincial level see A. Paul Pross, "Pressure Groups," in David J. Bellamy, Jon H. Pammett, and Donald C. Rowat, eds., *The Provincial Political Systems*, (Toronto: Methuen, 1976).

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Cabinet Government in Ontario:

A View from Inside

by
Edward E. Stewart

Edward E. Stewart served 18 of his 29 years as an Ontario public servant as a Deputy Minister, initially in University Affairs, then in Education, finally in the Office of the Premier, where he also served as Secretary of the Cabinet and Clerk of the Executive Council. A graduate of the University of Windsor, he holds a doctorate in Education from the University of Toronto.

Dr. Stewart's comments on Cabinet government in Ontario are those not only of an observer and a servant but of one who contributed, in political but non-partisan fashion, to the development of Cabinet government. The evolution of the bland-that-worked approach of the Davis years formed the subject of three lectures delivered at the University of Toronto as The Edward Dunlop Lectures, given in honour of an extraordinary Canadian soldier, citizen, public servant and statesman.

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